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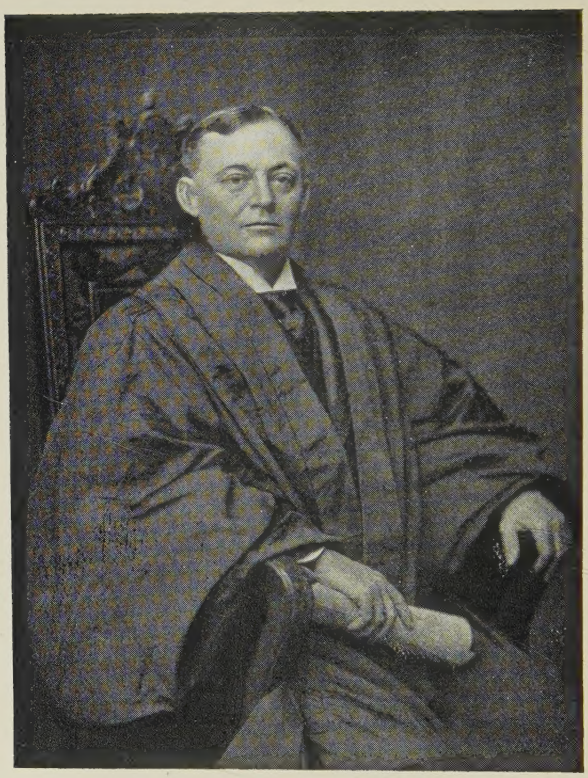

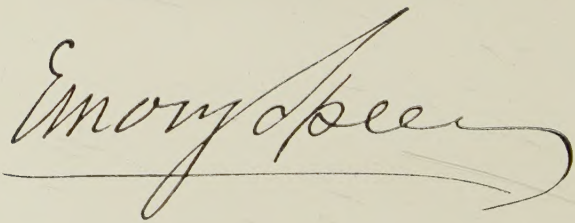

FRONTISPIECE

Lincoln, Lee, Grant

AND

Other Biographical Addresses

BY

JUDGE EMORY SPEER

NEW YORK AND WASHINGTON
THE NEALE PUBLISHING COMPANY
1909

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TO
MY MOTHER

Whose eyes, still beautiful and soft, first saw the light when friends of Olgethorpe were in vigorous life; Erskine but three years gone; Hamilton still deplored by many comrades of Yorktown and Valley Forge; Marshall with eight years to live; Lincoln and Lee were lads; and Brown and Grant, little boys—this book is lovingly inscribed.

CONTENTS

	PAGE
Introduction	11
Abraham Lincoln	19
Robert Edward Lee	45
Ulysses S. Grant	85
James Edward Oglethorpe	109
Alexander Hamilton	151
John Marshall	179
Erskine	209
Joseph Emerson Brown	227

ILLUSTRATIONS

FACING PAGE

Abraham Lincoln 19

Robert Edward Lee 45

Ulysses S. Grant 45

James Edward Oglethorpe 109

Alexander Hamilton 151

John Marshall 179

Erskine 209

Joseph Emerson Brown 227

INTRODUCTION.

BY CHARLES RAY PALMER, D.D.

Sir James Stephen wrote some sixty years ago, "A chain of splendid biographies constitutes the history of past centuries." Well-nigh inevitably, as we turn our eyes backward, our search is for the men in whom their time had its fullest embodiment. Our feeling is that a period is best studied in its leaders, whether we think they made it or were the product of it. Through human sympathies we gather our best understanding of events. Doubtless this habit may lead us astray, in respect of details, but it fastens attention upon large outlines securely. Biographical studies do not, indeed, attract all minds alike, nor always proportionately to their real merit. With some it is the fashion to belittle their usefulness. It has been said that every biography must be unsatisfying to those who loved the subject of it, and misleading to others. So much of life cannot be recorded; so little of it appears in the spoken word, or the outward act, or even in the written lines. Those without the love do not apprehend the rich significance of a life; those who loved must keep their secret. It is beyond their power to impart it. In this we may recognize much truth, and yet now and then a biography belies it, and finds for itself a way into the hearts of multitudes, enlightening and quickening their interest in life and stirring laudable aspirations for which the world becomes the better.

If more elaborate biography has special difficul-

ties to overcome, the orator or lecturer whose theme is biographical encounters these difficulties intensified. Accurately to describe a man's historical environment in all its complexity, and set him in his true relationship to it, showing in vivid outlines how his character was shaped and his achievements were determined, is not the task of an hour. The glowing pages of a biographer, perused in the leisure of our library, may bear us into the depths of an illustrious life or a great human movement, when the very brevity of his opportunity may withhold the orator of an occasion from that success, however earnestly he endeavors to effect it. But such endeavors, manfully and thoughtfully made, are sometimes exceedingly impressive and fruitful of impulses that are abiding. If the men who can make them are few, they are among the most useful of a nation's teachers.

The papers collected in this volume are manifestly efforts in this difficult direction. They were more or less occasional, and something is irrecoverably lost when an occasion has passed. The attitude of a reader is different from that of a listener uplifted by a memorable anniversary or upon the sympathies of a great assembly. But, on the other hand, the known personality of a writer, or something in his history, or the particular subject of his discourse, may lend interest to the printed page or give him an audience beyond the occasion, which only the printed page can reach. The power of the spoken or of the written word depends very much upon whose word it is.

It is hardly necessary to speak particularly of one so conspicuously before the public as the judge of a United States court, or of so striking a per-

sonality as Judge Speer. It is nevertheless true that these addresses, even if they must be regarded as a by-product of his life, derive significance from his special relation to his time. Born just before the middle of the nineteenth century, the son of a clergyman in the Empire State of the South, in the last year of the Civil War a Confederate soldier, but sixteen years old at the date of the surrender, he acquired such education as was possible for him in the disastrous years succeeding that struggle, and addressed himself to the problem of his life with most creditable courage and resolution. Graduating from the University of Georgia in 1869, he was soon admitted to the bar. His progress was such that in January, 1873, he became Solicitor-General of the State, under the first Democratic Governor subsequent to the war. In the midsummer of 1876 he resigned his office, resuming private practice. In 1878 he was elected to Congress as an Independent Democrat. He was re-elected in 1880 as an Independent with Republican affiliations. He was again a candidate in 1882, but failed to receive a certificate of election. On the day after the expiration of his second term, in March, 1883, he was appointed by President Arthur the United States District Attorney in his native State, and within two years afterwards to the position which, with growing reputation, he has since continuously held. Incidentally to this honorable career, he has done valued educational work as the head of the law school in Mercer University, and published volumes of interest to the profession and to law students.

In a country so vast in area as this is, with local interests so various and important, there is always

a likelihood of provincialisms. That sectional feelings might arise and tend to subordinate to themselves the consciousness of nationality was from the early days of the Republic a contingency to be apprehended—a peril it would task statesmanship to avert. For a generation previous to 1860 this peril was seen to be increasingly real and to threaten consequences most serious. Men began to speak of an irrepressible conflict. The calamities in which the culmination of it actually resulted everybody knows. When the war ended the situation seemed almost desperate. Nothing appeared less likely than the reunifying of a people that had been so frightfully divided. In the Southern States the national authority was detested and anything like national feeling was practically extinct. On the other hand, those of us who believed this country was made to be the home of one nation, *not* two or many; the home of a united and peace-loving people, *not* a circle of armed camps, knew perfectly well that the sole hope of that eventuality lay in the restoration of the national authority and the re-enkindling of a truly national spirit, hopeless as such a result might seem. What should bring it about? Whence could it be anticipated? Force would never produce it. Negotiation would never ensure it. Legislation would never effect it. If ever it was to be, it must be the outcome of the hearts of the Southern people themselves, spontaneous, magnanimous, self-propagating, in the lapse of years, perhaps of generations. For that it was necessary to wait.

Now it is the distinction of Judge Speer that he was one of the earliest of the men of the South clearly to perceive the immense desirableness of

this political renovation, and set himself intelligently and heartily to do a man's utmost toward it. In this patriotic endeavor he has never wearied. To make it successful he has spared no exertion. By precept and example, by word and by deed, privately and publicly, as a citizen and as a judge, he has striven to hasten the happy issue which now one need not be oversanguine confidently to expect. Time, good sense, common experiences and common aspirations, mutual understandings ripening into common purposes, combine to develop a consciousness of unity finding many ways to assert itself. Demonstrations multiply that the once divided American people have grasped the full significance of the motto which the fathers chose, and perceived the splendid potencies contingent upon the realization of the ideal to which it points, and clearly see the felicity, the dignity, the grandeur of the fact that in very truth, for a great future at home and a beneficent mission abroad, they are *one nation*—"an indissoluble union of indestructible States."

Doubtless there are many who remember a poem of twenty-five years ago, by Dr. Holland, entitled "The Mistress of the Manse." They will recall how the doubly-bereaved heroine solved the problem of her tortured heart. She laid side by side the soldier of the Union, who had been her beloved husband, and the soldier of the Confederacy, who had been her beloved brother, with a common monument, and this inscription:

> "They did the duty that they saw;
> Both wrought on God's supreme designs;
> And, under Love's eternal law,
> Each life with equal beauty shines."

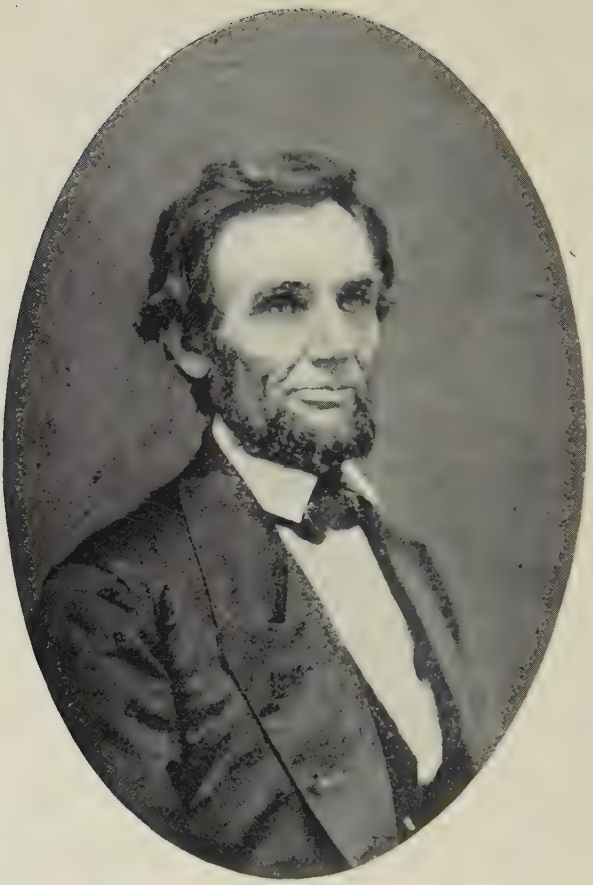
That sentiment, from which once hearts in either section somewhat recoiled, now finds a response throughout the length and breadth of the land, and beyond a question will finally be universal and abiding. Those whom it animated first will then stand out as the prophets of their generation—the heralds of a bright and glorious day for their country and for mankind.

It will be seen that to the patriot whose addresses are collected in this volume that day dawned long ago. The names of Washington and Lincoln, of Grant and Lee, equally arouse his enthusiasm as his imagination reproduces their characters and their services, each in the proper time and place, for the inspiration of his listening countrymen. It is interesting to remember in this connection that he has been heard by attentive and sympathetic audiences in the North and in the South, in the East and in the West, and everywhere has won the tribute of ready and hearty applause. Nor is this at all difficult to understand. His addresses have a charm that is their own. The ardor of a Southern nature, the fertility of a full mind, the sympathies of a generous heart are continually manifested in them, whether the particular subject of discourse faced the problems of the colonial period, the long war for Independence or the struggle of less than fifty years ago. All these glimpses of the past have their interest, and thus treated make their own appeal, and it is to what is deeper than partisanship and belongs to no one time. It is not desirable that noble qualities and magnificent energies be forgotten whenever or wherever displayed. It is profitable that by eloquent lips, by glowing pages, by enduring monu-

ments they be kept in remembrance. It will profit if in these ways, and in every other practicable way, the hearts of the children are prompted to vie with their fathers in that large public spirit which the future equally with the past will somehow demand "in times which try men's souls."

To speak particularly of the literary form of these papers in this introduction would be uncalled for. They may safely be left to speak for themselves. This they certainly will do, and most effectively, whatever may be said of them in advance. But it will be permitted to a friend of the author to commend them to the public, and express the hope that they may find a wide circle of interested readers. May they awaken in many minds a fresh and an abiding appreciation of the rich heritage the American people possesses in the memory of heroic leaders, who in a long succession have gloriously met the emergencies of its history in the centuries that have gone!

New Haven, Conn.,
August 1, 1909.



A. Lincoln

FACING PAGE 19

Lincoln, Lee, Grant, and Other Biographical Addresses

ABRAHAM LINCOLN.*

Ladies and Gentlemen:

About the year 1816 a catastrophe in commerce between the States occurred on an interstate waterway of our country. It was at the junction of the Ohio River, with one of its Kentucky tributaries upon which the pioneers had bestowed the suggestive name "Rolling Fork." A rude flat-boat, laden with a scanty collection of household goods, ten barrels of corn whiskey, and steered by a tall backwoodsman, whose muscular form, good-humored, careless face was typical of the daring videttes of those pioneer forces which westward took their way, was borne swiftly down the stream. The stalwart master was not without experience in such ventures. That morning, in front of his cabin home, he quit his moorings, and amid the hurrahs of his children swept boldly out into the stream. A perilous artery of inland navigation was "Rolling Fork" as he rushed down from the ravines of "Blue Bald" and "Shiney" mountains, to mingle his lime-colored waters with the amber flood of

*On the Centenary of his Birth, at the Armory of the 12th Regiment New York State National Guard, Feb. 12, 1909.

Ohio. Whether by the impetuous current, the presence of snags and sawyers, or a too frequent resort to what the elder Weller would term "a wery good power o' suction," through a straw inserted in a tempting bunghole, certain it is that the boatman lost his bearings. As the argosy was swept into the great river, it was partially capsized. Much of the priceless cargo, and doubtless all the composure of the bold navigator was swept away.

The hapless voyager was Thomas Lincoln. One of the little children, who had cheered the father as he set forth on his unpropitious way, became the illustrious American, the centenary of whose birth we celebrate to-day. Angry with adverse fortune but undismayed, his flat-boat righted, with the remnant of his wealth, alone and unaided, Thomas Lincoln drifted with Ohio's current, made a safe landing on the Indiana shore, and hiring a yoke of oxen, conveyed his goods and chattels some eighteen miles from the river. Here they were cached in an oak opening under the care of a friendly settler. Thomas, with unchastened spirit shouldered his rifle, and took a bee-line southward to bring his wife and children to the new home he meant to establish in the primeval forest.

Such experiences, and others far more tragic, were no novelties with the migratory ancestry of the child Lincoln. One year after "victory twined double garlands" around the banners of France and America at Yorktown, Abraham Lincoln, the grandfather of the Emancipator, and his sons, Mordecai, Josiah, and the amphibious Thomas aforesaid, left Rockingham County, Virginia. He followed the wilderness trail threading the historic passes of the Alleghenies, and taking out a

warrant for four hundred acres of land, erected his log-cabin home near Fort Beargrass, the present site of Louisville, Kentucky. Here for two years we may believe that hope elevated the heart of the brave frontiersman. Here he cleared and planted the virgin soil, whose luxuriant yield would give bread to his loved ones. Here were the illimitable and primeval parks of the Blue Grass, shaded by the monarchs of the forest; here, countless flocks of wild pigeons, fluttering amid the mighty beeches, and the noble wild turkey, proudly displaying the sheen of his bronze plumage, amid his shy and comely consorts, strutted and gobbled with all the ecstasy of reciprocated love; the rough grouse too, drumming like some recruiting sergeant for a feathered battalion; the beautiful deer in great herds gracefully bounding through the vistas of the woods, or grazing upon the lush grasses; all made rich contributions to the larder of the pioneer. But Abraham, the grandfather, was not long to enjoy these hopeful and happy conditions. One day he was working in the field. Little Thomas was playing by his side. Hard by, the elder boys were chopping in the woods. A murderous Indian, hidden in the brush on the edge of the field, was watching the father and child. His unsuspecting victim, in his work approached the ambush. The cruel rifle spoke. The father fell dead. Paralyzed with terror, caught by the savage springing from his lair, the little one was swiftly borne toward captivity, perhaps torture and death. But the brothers were there. While Josiah ran to the fort for help, Mordecai sped to the house, caught down his father's rifle, and drawing a bead on the running Indian killed him in his

tracks. Little Tom, wriggling from the loosening grasp of his dying captor, sped like a wild creature of the woods to the cabin and to safety. And yet there are those friendly biographers of the illustrious son who have spoken of the ancestry of Lincoln as "poor whites," often "poor white trash." Never was careless injustice more palpable, especially to those who know the swerveless courage, the heroic fortitude, the kindly and companionable nature of Southern men of his class. Much has been written of the "shiftless" father of Lincoln. By the same standard, "shiftless" also was Daniel Boone, and many another adventurer, who led the way where men of greater culture and less hardihood would have ignobly failed. These men were the offspring of the time and the exigency of a wilderness empire. The original of the expression is purely African and local. There are poor men everywhere, but they are not called "poor whites." Such writers have, therefore, appropriated an illusive characterization, originating with the pampered and pompous African house servants of wealthy planters in the old regime—the "Gumbos" of Thackeray, the "Drink-Water Toms" of Page—who were accustomed to speak thus of white men, who, like the father of Lincoln, were obliged from poverty to win their bread by the sweat of their brows. To vast multitudes, like him, learning had never unfolded her ample page, nor had education come to unlock the portals of the mind. But from that poor, but pure blooded stock sprang Andrew Jackson, the hero of New Orleans, and Davy Crockett, the hero of the Alamo. In the main it gave the rank and file of that incomparable infantry, whose far-flung battle-

line, from the green hills above the Potomac to the sandy banks of the Rio Grande, for four years maintained to the uttermost the military renown and honor of our country's fighting strain.

In 1806 Thomas Lincoln, grown to manhood, had taken to himself a wife. The bride was Nancy Hanks, a wild flower from the Virginia mountains. The future President was the second child of this union. Upon the authority of a biographer who well knew the son, the latter declared that his mother was "of medium stature, of brunette complexion, and with bright eyes, at once mirthful and soft." This gentle daughter of the wilderness did not long endure the hardships and privations of its rugged and wasting life. At the rude home in southern Indiana, on the 5th of October, 1818, the mother, who had given Lincoln to his country and mankind, passed from the toils and sorrows of life to the presence of that benign Master whose tenderest mission on earth was to bring pity, succor, and consolation to the suffering Mothers of Men. Hard by the desolate home, the husband cut from the woods, and fashioned with his own hands a rude coffin for the quiet form of the wife of his youth. As she had lived, so she was buried in the mighty forest, and when the withered leaves of many winters had thickly covered her resting place, her son, then a ruler of men, with tear-dimmed eyes declared: "All that I am or hope to be, I owe to my angel mother."

Who can portray the wretchedness of that humble home to which Thomas Lincoln, his little daughter Sarah, and his still younger son returned from the lonely grave. But the poor have no leisure for lamentation. Sarah, not yet twelve,

was the housekeeper. Little Abe, two years younger, was already trained in wielding the axe, the maul, and the froe. Thomas was a quick dead shot with the rifle, and game was plentiful; skilful also in mixing the nourishing ashcake of Indian corn meal. The furniture of the cabin, which sheltered the boy, whose intrepid diplomacy in later years dominated the royal inmate of St. James, and the imperial occupant of the Tuileries, was squalid, indeed pathetic. The bedstead had but one leg. This was cut from a sapling with two adjacent forks, and driven into the ground floor the desired distance from the walls. Cross-pieces extended from the forks to the crevices between the logs. Thongs of deer-skin were laced with care across the frame thus made, and on this reposed the mattress stuffed with fragrant "shucks" or husks stripped from the ears of Indian corn. In another corner the children enjoyed the comforts of a similar, but smaller structure, but when the blizzard came, and the icy blasts from the North hurtled across the lonely prairie, and drove the snow in drifts through the many clefts in the cabin, the little ones would creep to the parental bed to share the warmth, thrown off in generous measure by the stalwart father. But the environment of Abraham Lincoln's youth was in no sense injurious to a man of his native power. Its hardships and vicissitudes developed the Spartan in his character. Comforts were unknown, but this made him in after life "scorn delights and live laborious days." It compassed achievements usually impossible to those who have not felt the "uses of adversity." Royal fathers, of no mean sagacity, have sought to accustom their sons from infancy

to privations, inevitable with the boy Lincoln. Such was the father of Frederick the Great. And when in the late years of the Seven Years' War, with the armies of Austria, Saxony, Russia, Sweden, France, and the Reich, combined against him, when with but a remnant of his veterans, his military genius, at the Camp of Bundelwitz, had checkmated and paralyzed all his foes, this Last of the Great Kings, making his cheerless bivouac amid his shivering outposts, was heard to exclaim, "And remember, a lock of straw, will you, that I may not have to sleep on the ground as last night."

It is possible that continuous meditation upon his miserable household, and the wretchedness of his children, impelled our bereaved widower to ask himself, in the language of Scripture, "Is there no balm in Gilead; is there no physician there?" Certain it is that, no matter how great the calamity, Thomas Lincoln was not one of those who

> "In the shade of melancholy boughs,
> Lose and neglect the creeping hours of time."

And so it was that about a year after the death of his beloved Nancy, Thomas disappeared. He gave to the children no explanation of his flitting, or how long he would be gone. They were however, unafraid, and not unaccustomed to the excursions of this pioneer prodigal father. One bright December morning the mystery was explained. A cheery yell from the edge of the little clearing around the cabin brought the children scampering out of doors. They were greeted by a spectacle to dazzle their shy but enraptured eyes; the beaming Thomas, sitting in the seat of honor in a four-horse wagon, drawn by powerful Kentucky steeds.

By his side, a comely and kindly bride. She had been a widow, Mrs. Sallie Johnston of Elizabethtown, Kentucky. A sweetheart of the secretive Thomas in the days of his youth—having heard of the death of her husband, he had sagely divined that their mutual sorrows, if added together in the curious arithmetic of love, might sum up in the happiness of both. The days of downright hardship for the family were now behind. The new mother had brought with her three children of her first marriage. The new playmates were by our little friends welcomed with open arms. But this was not all. The contents of the wagon were miraculous. There were tables and chairs, an astonishing bureau, with drawers that pulled out and disclosed a plentiful stock of clothing. There was abundant crockery to replace the tin cups and plates. There were knives and forks. There was ample bedding for all, and no matter how cold the weather, the children never again suffered for the lack of cover. We cannot doubt that the canny Thomas had cautiously depicted the insufficiencies of his establishment, for luxurious repose, nor that the wonderful wagon also contained a matrimonial four-poster, such as may yet be seen in the old Kentucky home, and one or more fluffy but ponderous looking feather-beds—the acme of comfort in the hyperborean region to which its kindly mistress had now arrived. Wonder has been expressed how Thomas Lincoln, an untutored son of the wilderness, beguiled this shrewd and forehanded Kentucky widow to share his meager fortunes. It must be recalled, however, that he had sought her in the autumn, but not until December did he bring the "captive home * * * whose ransom did

the general coffers fill." We may rest assured that during this interval Thomas was an ardent wooer, and there is power in propinquity, especially of those who have previously enjoyed the blessings of connubial happiness.

In the meantime, little Abraham had learned to read, and in a way to write. His handwriting was always small and delicate. This is doubtless ascribable to the paucity of paper in the Indiana home. Indeed, much of his early composition was written with charcoal on the boards, or "shakes" as they were termed then, which he had riven with his froe. A wooden fire-shovel was also a tablet for his random thoughts and selections. When the shovel was filled, he would shave off the surface with his sharp pocket-knife, and proceed to fill it again. Of books it seemed for a long time he had but five. These were the Bible, Bunyan's "Pilgrim's Progress," "Aesop's Fables," "Robinson Crusoe," and at a later period Weems' "Life of Washington." It is probably true that no other collection could have produced such fructifying and enduring impression on the astonishing fertility and strength of that mind with which the lad had been endowed. "Some books," wrote Bacon in his essay "On Studies," "are to be tasted, others to be swallowed, and some few to be chewed and digested." It will scarcely be questioned that the library of the future President belonged to the class last mentioned by the most brilliant philosopher of the Elizabethan Age. With what Lowell terms "the grand simplicities of the Bible," the subsequent writings and speeches of Lincoln betray the most intimate acquaintance, and of the English Bible Lord Macaulay declared, "if everything else in

our language should perish, it would alone suffice to show the whole extent of its beauty and power." It will be as interesting, as profitable to those who would acquire a clear, cogent, simple and popular style, to reflect that the styles of the immortal author of the "Pilgrim's Progress," and of the scarcely less renowned creator of "Robinson Crusoe," were both formed by a study of the "Book of Books." Of the inspired allegory, it may be said that, like Lincoln in his studies in the wilderness, the author had, in the words of the same great master of English literature I have just quoted, "no conception that he was producing a masterpiece: he could not guess what place his allegory would occupy in English literature, for of English literature he knew nothing." Bunyan was the son of a strolling tinker, at a time when that guild formed an hereditary class who were generally vagrants and pilferers. The father of Lincoln, with all of his weaknesses, when compared to the father of Bunyan, would probably be as "Hyperion" to a "Satyr." It was in the grime of his prison cell that the author created the "House Beautiful," the "Delectable Mountains," and the "Enchanted Ground." It is declared that he had no assistance, and nobody but himself saw a line until the whole was complete. Like Lincoln's also, some of his early writings were coarse, but they showed a keen mother wit, a great command of the homely Saxon tongue, and great familiarity with the English Bible. Perhaps in no book other than the "Pilgrim's Progress" are to be found so many words of one syllable. Of Defoe, it is related that during that part of the reign of Charles the Second, when devout non-Catholics an-

ticipated that printed Bibles would soon become rare, many earnest and apprehensive people began to copy it in writing, and the author of "Robinson Crusoe" and "The Story of the Plague in London," as he himself said, "worked like a horse until he had written out the whole of the Pentateuch." To such studies we may ascribe the simplicity and strength of his style. In his imaginative power we may trace the influence of the Royal Poet of Israel, whose military genius extended his dominion from the Orontes to the Euphrates; and the fervid realism of his narrative, to the simple stories of those untutored artisans and fishermen, who recorded the journeys, the sayings, and the trials of Him "who spake as never man spake." The Fables of Aesop, and the famous work of Weems, were of a different order. But of the first it may be said that Socrates himself attempted their versification, and they were favorites with the cultured inhabitants in the City of the Violet Crown, at that period of its intellectual achievement of which Macaulay declared, "Wherever literature consoles sorrow or assuages pain; wherever it brings gladness to eyes, which fail with wakefulness and tears, and ache for the dark house and the long sleep—there is exhibited in its noblest form the immortal things of Athens."

The least influential of those literary influences, which added to Lincoln's gigantic mentality a style of writing and speaking, unsurpassed in its power to reach and control the patriotic conscience of the plain people, was the "Life of Washington" by Parson Weems. But it is probably true that nothing he read contributed more to his devotion to the Union than the idolatry of Washington it

kindled, and Walt Whitman declared that "the only thing like passion or infatuation in the man was the passion for the Union of these States." It cannot be said that all the veracities were combined in Parson Weems. He was an itinerant adventurer, bookmaker, and bookseller. To suggest his intimacy with Washington, Weems described himself as "Rector of Mt. Vernon Parish." Now Mt. Vernon had no church or chapel, was in Truro Parish, and Weems was never rector anywhere. It was Weems who invented the fabulous story of the Cherry Tree and the Hatchet, which will in a few days engage the humorous writers of the Press in purveying for our countrymen's love of funmaking and ridicule. Nevertheless, the book was written in an earnest and most affectionate style. It was a great favorite with the pioneers, who worshiped the memory of Washington. Indeed, they regarded him as the first pioneer, but with less accuracy perhaps, as a type of themselves. Lincoln shared this worship to the full. Indelible, then, must have been the influence upon his mind of the ardent advocacy of our perpetual union in the "Farewell Address": "It is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad; of your safety; of your prosperity; of that very Liberty, which you so highly prize." Indeed, there were those who condemned Mr. Lincoln because his love for the Union far outstripped his hatred of slavery, and yet hatred of slavery was one of the ruling passions of his life. This is made plain by his famous letter to Horace Greeley: "If there be those who would not save the Union, unless they could at the same time save

slavery, I do not agree with them. If there be those who would not save the Union, unless they could at the same time destroy slavery, I do not agree with them. My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it. And if I could save it by freeing all the slaves, I would do it. And if I could save it by freeing some, and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save the Union, and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I believe what I am doing hurts the cause, and shall do more whenever I believe doing more will help the cause * * * I have here stated my purpose, according to my view of official duty, and I intend no modification of my oft-expressed personal wish, that all men everywhere could be free." In truth at last the Union became to Lincoln—and I speak with reverence—sacred as the Cross to that innumerable throng of other martyrs, who, "posted at the shrine of Truth, have fallen in her defense."

It seems that when about seventeen a steady fire of ambition was kindled in the breast of the young Lincoln by a spark thrown off in a courtroom from the forensic effort of a famous Breckinridge of that day. It was a murder trial. This is said to have been his first lesson in oratory, and all unconsciously, he must have determined to become not only a great orator, but also a great debater. Of all the renowned debaters of the British Parliament, Charles James Fox seems more closely to resemble the simplicity, terseness, point-

edness, and all-pervading cast of intellect, in the style of Mr. Lincoln. This great Englishman once remarked to a friend that he had gained his skill "at the expense of the House of Commons." The audience of the future opponent of Douglas was less distinguished, but in his adolescent exercises was as hardworked. His practice of speech-making, when not himself at labor, was almost without an interval. The questions did not matter: the propriety of a bounty on the scalps of bears or wolves, the advantage or disadvantage of roads and trails, the school-tax—anything. He organized mock trials, opened the case for the prosecution, replied for the defense, charged the jury for the court, and sometimes favored the supposititious tribunal with appropriate remarks from the foreman of the jury. So constant were these efforts, so ardent, and so fascinating to his hearers, that his father often felt obliged to disperse the legislative body, or adjourn the court. "When Abe begins to speak," complained Thomas, "all the hands flock to hear him."

From this recital it is plain that Mr. Lincoln had for his early teachers but himself, the rude forces of life on the frontier, and the "green-robed senators of the mighty woods." But is it also plain that any other teaching would have developed the character and powers necessary to the stupendous task which, under the Providence of God, as we may well believe, came to his hand? There are doubtless few Americans, capable of appreciating the blessings of classical culture, who have not in some degree coveted the opportunities enjoyed by such men as the elder Pitt and Charles James Fox at Oxford, or by the younger Pitt, Macaulay and

Gladstone at Cambridge. It is true that the power to render the orations of Demosthenes into nervous English was the easy task of Chatham; that to soothe his outraged nerves, after prodigies of dissipation, Fox would turn to the odes and lyrics of Horace, to the "Aeneid" or "Alcestis," as if they were in his mother-tongue. It is true that of the younger Pitt, his teacher declared that there was scarcely a Greek or Latin writer, the whole of whose works his pupil had not read to him, in most thorough and discriminating manner before he was twenty, and that he was as thorough in the exact sciences as in the classics. While these illustrious men became each supreme in his distinctive characteristics as orator, and while Lincoln had no more than a year of school life altogether, I doubt if all their learning could have added an atom to his power in those debates with Douglas, which made him President during that period in which the Union was saved. I doubt if either could have equalled the simple grandeur of his speech at Gettysburg, the pathos of his First Inaugural, the gentle tenderness and awful majesty of his last. He was a child of the plain people, he spoke as the nursling of his country and his time.

But this was not all. The early habits of self-reliance, essential to existence itself, in his poverty-stricken and neglected childhood, imparted the independence, resourcefulness, and immovable but modest self-confidence, which, despite all efforts from many quarters to change his plans or thwart his policies, made his prescient mind in the crisis of our country's fate the actual organizer of victory for the Union. His first Cabinet was, not unlike the British ministry, "of all talents." It comprehended certain great Americans, who deemed

themselves, and at the time were deemed by the American people, as infinitely superior to the uncouth country lawyer, who in such a surprising way had won the Presidency. Foremost of these were William H. Seward and Salmon P. Chase. It was doubtless mortifying to these courtly and scholarly statesmen, to daily witness the President receiving multitudes, in the hale-fellow well-met style, natural to a man of his simple good nature. Their own dignity and reserve would have been more at home in the Cabinet of His Excellency, George Washington, than in that of "honest Abe Lincoln," the Rail Splitter from Sangamon. It is said that he was far more accessible to the people than the chiefs of many subordinate bureaus. He was utterly unconventional. A formal visit from a diplomatic representative of the most powerful monarch of "that grand old world beyond the deep," was not more appalling to him than a visit from a brother attorney in his law office at Springfield. When Lord Lyons, that stately bachelor minister of Her Britannic Majesty at Washington, presented to the new President an autograph letter from Queen Victoria, announcing the marriage of the Prince of Wales, as is the custom with royalty, and when His Lordship loftily added that whatever response the President would make he would immediately transmit to his Royal Mistress, Mr. Lincoln instantly responded by shaking the marriage announcement in the face of the startled Britisher, and exclaiming, "Lyons, go thou and do likewise!"

It is not surprising then that such eminent statesmen as Mr. Seward and Mr. Chase, with such an "irreverent" President, should conclude that if the

country was saved, they must save it. The first to reach this conclusion was Mr. Seward. At the end of the first month he submitted to Mr. Lincoln a memorandum. This informed the President that the Government was without a policy; that the slavery question should be eliminated from the struggle; gave his views as to the maintenance of the forts in the South; declared that Spain and France were then preparing, the first for the annexation of San Domingo, and both for the invasion of Mexico, and should be required to give instant and satisfactory explanations, and on failure, that war should be declared; that explanations equally explicit should be demanded from Russia and Great Britain; that the Continental spirit of independence against all Europe should be aroused all over the American Continent; and that the President should devote himself entirely to these policies, or devolve the direction on some member of his Cabinet, about whose measures all debate should end. It might have been implied from this memorandum that Mr. Seward himself was the proper and exclusive plenipotentiary for the dictatorial policies and duties enumerated. The great Secretary of State was soon to learn that he had taken an erroneous measure of his man. Mr. Seward had delivered himself into the hands of Mr. Lincoln. A smaller man would have taken instant affront at the unconstitutional superiority which the Cabinet officer had assumed. But Mr. Lincoln ignored the offense, but at once dispatched a reply which had a profound effect upon that famous member of his official family. He informed Mr. Seward that the Administration had a foreign policy, which, with the President's approval, had

been outlined in the dispatches of the Secretary of State; that if any change in that policy was to be made, the President would make it on his own responsibility. As to the domestic policy,—that, he wrote, had been laid down in the Inaugural Address, and that too had been made with Seward's approval. Its substance is as follows: "Physically speaking, we cannot separate; we cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face, and intercourse, either amicable or hostile, must continue between them. * * * I am loathe to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic cords of memory, stretching from every battlefield and patriot grave, to every loving heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature." From the ultimate purpose of that policy, to his last expiring sigh, the martyred President did never for a moment depart.

Mr. Lincoln was Southern born. There was subdued emotion of deep pathos in his statement to an artist, who painted his portrait and made inquiry as to his birthplace, that he might paint that also. For the desired data, the painter handed Mr. Lincoln a small memorandum book. He stated that as Lincoln took the book, a melancholy shadow settled on his features, and his eyes

had an inexpressible sadness in them, as if they were searching for something they had seen long, long years ago. He then wrote: "I was born February 12, 1809, in then Harden County, Kentucky, within the now recently formed county of Larue, a mile or a mile and a half from where Hodgensville now is. My parents being dead, and my own memory not serving, I have no means of indentifying the precise locality. It was on Nolan Creek." The great man was doubtless recalling the memories of what seemed his hopeless childhood, its penury, its obscurity; the little brother, by whose unmarked grave he and his gentle mother had knelt and prayed, and through blinding tears looked upon the sacred spot they would never more behold.

The associations of the birthplace have ever a subtle and enduring influence on the feeling mind. In the plastic years of his tender childhood his father and mother in his hearing had often dwelt upon the "Old Kentucky home so far away." They had no doubt forgotten its hardships, its miseries, the fierce tragedies of the "Dark and Bloody Ground;" and

> "Memory stood sidewise, half covered with flowers,
> And disclosed every rose, but secreted the thorn."

His stepmother, to whom he was devotedly attached, was a Kentucky woman. She often said, "He never gave me a cross word or look, and never refused in fact or appearance to do anything I asked of him." And more influential still is the fact that his wife was "bred in old Kentucky." Mr. Lincoln knew the Southern people, and loved them. He knew that idol of his young

manhood, who had learned the law, while secretary of that Chancellor Wythe of Virginia who had been the preceptor of Thomas Jefferson and John Marshall, and who also had followed the "Wilderness Trail," and settled in the heart of the "Blue Grass," to win by his musical eloquence and his magnetic attractiveness, that adoration from his countrymen which yet attends the name of Henry Clay. Of another Southern man, whose memory will long be cherished by thousands, he wrote this letter to his law-partner: "Dear William,—I take up my pen to tell you that Mr. Stephens of Georgia, a little, slim pale-faced, consumptive man, with a voice like Logan's has just concluded the very best speech of an hour's length I ever heard." Although only thirty-six, he added in his humorous way, "My old withered dry eyes are full of tears yet."

Let me say, that whatever their differences on questions of National policy, it is true that Southern men worthy of the name ever cherish a common and tender sympathy for the homogeneous population which there hands down from father to son the primitive virtues of the brave and kindly American stock. It is an impassioned sentiment. It is expressed in the only intelligible words of that martial Southern lyric, which above the crash of rifle fire and the swift thudding of guns, often thrilled the thin gray lines to deeds of desperate valor—now, I trust, the undivided heritage of an undivided people—

> "In Dixie's land I'll take my stand,
> And live and die for Dixie."

In vain may the search be made through the re-

ports of all the speeches, and through all the writings and correspondence of Mr. Lincoln, to find one syllable of depreciation or unkindness toward Southern men. His soundest policy, as President and Commander-in-Chief of the Army and Navy of the United States, coincided with the natural influences of birth, of friendship, and of kinship. Mr. Lincoln was from one of the Border States, and none more than he knew the fighting qualities of their intrepid manhood. While they were Slave States and Southern States, the preponderance of their military strength had rallied to the Stars and Stripes. It is well to remember that in *white troops alone* the States recognized as Southern contributed more than twice the strength of those combined Imperial Armies who, nearly sixty years before, had met in deadliest conflict on the snow-clad plateau illumined by the "Sun of Austerlitz," and more than twice the sum of the opposing American armies, who reeled and staggered on the bloody crest of battle amid the shell-riven rocks of Gettysburg. Of these, the eleven seceding States gave 86,205, and Delaware, Maryland, the District of Columbia, Kentucky and Missouri, 260,-327. About one-third of the officers of Southern blood, who had been trained at the Military Academy at West Point, had remained to share the fortunes and uphold the honor of the glory-crowned standard of our country. Amid the thunders of Dupont's fleet at Port Royal, was Captain Percival Drayton of South Carolina. His brother, a general of the Confederate Army, was in command of the defensive works ashore. At Galveston, in 1863, a Confederate Major Lea led the assault, and found his son, Lieutenant Lea, dead

on the blood-stained decks of the *Harriet Lane*. Two Crittendens, Kentuckians both, were major-generals in the opposing armies. Colonel Breckinridge at the battle of Atlanta was captured by his own brother, an officer in that famous Confederate cavalry which followed the guidons of "Little Joe Wheeler." Mr. Lincoln knew these people. Who that had read the story of little Delaware in Revolutionary times had failed to learn "how dead-game are the Blue Hen's chickens"? The President knew the story of Smallwood's Maryland battalion of maccaronies and dandies who, under the eye of Washington on Long Island, covered the retreat of his shattered forces, and stood for more than four hours in close array, their colors flying, under the cannonade of the British, who did not dare to advance and attack them, though six times their number. There too was the fighting strain, never excelled for heroism and constancy, from the land of Kenton, of Harrod, of Shelby, and of Boone, the land where the Emancipator himself was born. There too were the simple and fearless inhabitants of those rugged mountain ranges, of western North Carolina and eastern Tennessee, extending like a huge bastion to the very heart of the Confederacy, a people to whom the memory of Washington was ever dear, who whether they swiftly rode to exterminate Ferguson and his Tories at Kings Mountain, to pick off the regulars of Packenham at New Orleans, or to rally to Sam Houston at San Jacinto, there to wreak a bloody revenge for Goliad and the Alamo, were Americans to whom no other flag was comparable to the Stars and Stripes. To gather and retain the military power of this dauntless popu-

lation, to hold it steadily to the Flag, was the task to which Mr. Lincoln devoted the wealth of his commonsense and sagacity, his intuitive and unrivaled knowledge of the American character. With this end in view his "Border State" policy, as it was termed, was adopted. The proclamation of emancipation was long preceded by the offer of righteous compensation to the owners of slaves who would recognize the authority of the Union. The proclamation was issued. There was still no variableness or shadow of turning in his swerveless purpose, to secure if he could, compensation to the Southern people for their emancipated slaves. Prompted by him Congress begins the effort to make this purpose effective. The House votes to issue ten millions of gold bonds bearing six per cent. interest. These are to be distributed in Missouri alone, as part compensation for the slaveholders of that State. The Senate adds five millions to the House bill, but when the amended bill is returned to the House the measure is defeated by the dilatory tactics of the Missouri members. Profound and distressing is the disappointment of the President. He had hoped that Missouri would lead the way, and that the other Southern States would follow, with the result of perpetual union and enduring peace. He declares that bonds were better than bondsmen, and that two-legged property was a very bad kind to hold. But this was not all. When forty miles of the Confederate trenches at Petersburg are held by only thirty-three thousand of the formidable but starving veterans of Lee, Mr. Lincoln makes a visit to General Grant. On his return he convenes his Cabinet. He reads to his official advisers a message to Congress. In

this paper he recommends an appropriation of $300,000,000 to be apportioned as compensation among Southern planters for the enfranchisement of their slaves. To the united opposition of the Cabinet he expresses his great surprise. How long will the war last? he asks. No one answers. "One hundred days," he predicts. "We are expending now in carrying on the war $3,000,000 a day, which will amount to all this money." It would, he thought, restore good feeling. He adds that "it will save much blood, and many, many lives."

At last the brave and irresistible army of General Grant breaks the lines at Petersburg and sweeps them from end to end. The retreating remnant of Lee, fighting to the last, is annihilated. Though overwhelmed, and crushed, amid the kind and gentle attention of the victorious army, furled in military glory is their red-cross flag which had streamed amid shouts of victory on many a stricken field,

> "For there's not a man to wave it
> And there's not a sword to save it,—
> And the hearts that fondly clasped it
> Cold and dead are lying low."

Then finally spoke the noble, magnanimous soul of the Nation's Chief. It was the 11th of April, 1865. He had but three days to live. It was his last address to his countrymen. He said: "We all agree that the seceded States so-called are out of their proper practical relation with the Union, and that the sole object of the Government, civil and military, in regard to those States, is to again give them proper practical relations. *Finding themselves safely at home it would be utterly immaterial*

whether they had been abroad. Let us all join in doing the acts necessary to restore the proper practical relations between these States and the Union. It is also unsatisfactory to some," he continued, "that the elective franchise is not given to the colored man. I would myself prefer that it were now conferred on the *very intelligent* and those who serve our cause as soldiers."

Then with "the deep damnation of his taking off" came the Iliad of our woes—the horrors of Reconstruction. This was based upon the theory which Mr. Lincoln had declined to discuss, namely, that the seceded States had lost their status in the Union. At last upon the night of our despair there broke the radiant morning of our hope. It came through the decisions of that august tribunal whose jurisdiction is fixed in the adamantine of the Constitution. One was pronounced by a jurist who had been a member of Lincoln's Cabinet, who had resigned in anger, but whom Lincoln had elevated to the highest judicial position on earth, Chief Justice of our Country. It seemed as if the genius of America had breathed upon the ashes of the martyr slain, and that the soul of Lincoln had met the Justices in their consultation room to deliberate, to counsel, to decide that "the Constitution in all its provisions looks to an indestructible Union composed of indestructible States." The Court saved us. Thus fell the policy of Reconstruction. Thus your brethren though long self-exiled and now disinherited, were readmitted to the stately home the Fathers had builded. Thus came the final, eternal triumph of the loving heart, the prophetic statecraft, the patriotic soul of Lincoln. And with what result?

We have reconsecrated our altars. We have kindled the torch of education. We are laying the first fruits of our almost untouched resources of field, forest and mine in the lap of our reunited country. We have recalled our love for the flag, and the old American spirit is again flaming in our hearts. It lives in the sons of their blood, aye, in the surviving veterans of Lee and Johnston themselves. At Guasimas it was there. When the *Merrimac* was steered into the jaws of death at Santiago it was there. With Dewey on the bridge of the *Olympia,* it was there. On the deck of the *Winslow,* when the soul of Worth Bagley, slain in his country's cause, winged its way to heaven, it was there. In the chaparral of Cuba, in the jungles of Luzon, there too were Southern soldiers, wearing the blue as their sires long ago wore the gray, inspired by the same spirit and love of country which glorified American manhood on the slopes of Manassas, in the rush of Jackson's corps at Chancellorsville, in the Bloody Angle, at the explosion of the Crater, at Chickamauga, and on a thousand fields to live in song and story to the latest times. And, my countrymen, it is with the flag to stay. Whenever the safety or the honor of our country is threatened or endangered, the soul of Lincoln will thrill, and the swords of Grant and Lee will point the charging columns of her sons, no longer "dissevered, discordant, belligerent," but forever fondly embracing and upholding,

"The Union of lakes, the Union of lands,
The Union of States none can sever;
The Union of hearts, the Union of hands,
And the flag of our Union forever."

FACING PAGE 45

ROBERT EDWARD LEE.*

In the Capitol at Washington a hall has been devoted to the images of our illustrious dead. The chamber is worthy of its consecration. It is the old Hall of Representatives. There in storied marble or enduring bronze, stand the mighty, whose patriotic imagination conceived, or whose military prowess made possible, the great Republic, whose prescient statesmanship framed or whose courage and eloquence defended its organic law, whose inventive genius enchained the mysterious forces of nature to its service, or whose scientific skill ameliorates the sufferings of its people. Majestic monitors to the day, when the night has fallen, in the chamber where once rang the musical voice of Clay, the lucid periods of Calhoun, and the melodious thunders of Webster, in ghostly shadows the silent gathering stands, as if to guard the liberty and happiness of the people whom they loved. Each State there may place the sculptor's conception of her two most illustrious sons. Virginia from her golden roll has named George Washington, and the only other in the recorded pages of time to be spoken in the hazardous connection—Robert Edward Lee.

At Stratford, an ancient home of the Lees, on the 19th of January, 1807, the hero chieftain was born. Stratford had been erected for a famous

*Delivered at Emory College, Oxford, Georgia, June, 1905; and at Yale University, New Haven, May, 1906.

ancestor, by joint contributions from the East India Company and a Queen of England. The room in which the child was born had witnessed the birth of two signers of the Declaration of Independence, both Lees. No American had a prouder lineage, and no other depended on lineage less. His father was General Henry Lee, the famous "Light Horse Harry," as he was termed by his loving and admiring comrades of the Continental Army. This distinguished officer was a great favorite with the patriot commander. His mother had been the charming Lucy Grimes, that "Lowland beauty" on whom the ever-susceptible Washington, in his youth lavished a share of that devotion for the fair sex, which ever marks the truly great. But Henry Lee did not secure his promotion in the Continental Army through the romantic affection of Washington. He was an accomplished and skilful officer. His command was declared to be "the finest that made its appearance in the arena of the Revolutionary War." It was composed of equal proportions of cavalry and infantry, all picked officers and men. It is interesting to know that in this command of the father of General Lee there rode Peter Johnston, the father of General Joseph E. Johnston, ever the bosom friend of Lee, and the commander of another Confederate army, which, rivalling in all soldierly qualities the veterans of the Army of Northern Virginia, but for his untimely removal, thousands believe, would have made the red hills of Georgia as famous for defensive victory as the plain of Marathon, or the slope of Waterloo.

The Revolutionary War ended, General Henry Lee began a civil career not less noticeable and

valuable than his military services. With John Marshall, James Madison, Edmund Randolph, and George Wythe he advocated the Federal Constitution in the Virginia Convention of 1788. He was Governor of Virginia. He commanded fifteen thousand militia, sent by President Washington to quell the Whiskey Insurrection in western Pennsylvania. Afterward, as a Member of Congress, on the death of Washington he was appointed to deliver an address in commemoration of the services of that illustrious man.

On the 25th of March, 1818, returning from the tropics, where he had gone in search of health, the father of Robert E. Lee died at beautiful Dungeness on Cumberland Island in our own State, and the stone which yet marks his resting-place, for nearly a century has been caressed by mosses pendant from Georgian oaks, and wooed by Georgian winds, which o'er the ashes of this hero of the Revolution there dispel the fragrance of the magnolia and the bay.

It is not generally known, I believe, that Robert E. Lee was the blood relative of John Marshall, the great Chief Justice, and of Thomas Jefferson, the author of the Declaration of Independence, and twice President of the United States. Marshall's mother, Mary Keith; Jefferson's mother, Jane Randolph, and Lee's grandmother, Mary Bland, were all three granddaughters of Colonel William Randolph. The home of this colonial ancestor of the great Confederate chieftain and his illustrious kinsmen, was on an island in the James, from whose shores one might have heard the thunder of McClellan's artillery at Malvern Hill, and the ripping fire of Lee's riflemen when

at Petersburg they were steadily holding Grant at bay.

The mother of Robert E. Lee was the second wife of Henry Lee. Her name was Anne Hill Carter. This gentle and loving woman was the daughter of Charles Carter, of "Shirley," a noble mansion on the James. To the care of young Robert his mother was committed when the declining health of his father compelled him to seek relief in the West Indies, and she declared that her affectionate guardian, was both a daughter and a son to her. The purity, gentleness and spiritual Christianity of General Lee was no doubt largely ascribable to the influence of the mother, and the constant association of mother and son, so beautiful to the people of Alexandria of that day, for to that historic old town, the boy had been taken that he might attend school.

In the year 1825 he sought admission to the United States Military Academy at West Point. His application was successful. Presented to General Andrew Jackson, the charming modesty of the manly and athletic youth appealed at once to the soldierly heart and experienced eye of "Old Hickory," who secured the appointment for him. In four years of rigorous discipline and arduous study in that famous institution, he never received a demerit, was cadet officer, a prime distinction, adjutant of his class, and among forty-six classmates graduated second. By army regulations the cadets who graduate with honors are assigned to the Engineers, and so in 1829 Lee was appointed to this corps de élite of the Regular Army.

Like Napoleon, he was a great mathematician, and also, like him, was averse to drink. While the

Army of Northern Virginia was in winter quarters at Petersburg a number of officers were one night busily engaged in discussing an abstruse mathematical problem, with occasional resort to the contents of a stone jug, environed by two tin cups. While thus absorbed, General Lee quietly came in to make some inquiry. At their request he gave a solution of the problem, and departed, the military rivals of Newton and La Place expressing to each other the hope that the General had not observed the jug and cups. The next day one of them in the presence of the others unhappily imparted to General Lee a very strange dream he had experienced the night before. The General quietly replied: "That is not at all remarkable. When young gentlemen discuss at midnight mathematical problems, the unknown quantities of which are a stone jug and two tin cups, they may expect to have strange dreams."

Lieutenant Lee was soon absorbed with the most important duties of his corps. He was assistant engineer upon the defenses of Hampton Roads, and for a time assistant to the Chief Engineer, at the War Department in Washington. He developed such skill that in 1835 he was made assistant astronomer of the commission appointed to define the boundary between Ohio and Michigan, and was soon entrusted with the duty, successfully performed, of preventing the Mississippi from leaving its channel, and thus injuring the city of St. Louis.

In the mean time, on the 30th of June, 1831, he was united in marriage to Mary Custis, the daughter of George Washington Park Custis of Arlington. The father of this bride was the grand-

son of Mrs. Martha Washington, and the adopted son of Washington himself. It is said by one of his most interesting biographers that Lee was in love from his boyhood. How many sweethearts he had is not disclosed. They were doubtless numerous at this period, for in the esteem of the fair sex the profession of arms is equalled only by the clergy of those pious denominations wherein celibacy is the exception and not the rule. It is said that the young mistress of Arlington admired him whenever he came to Alexandria on a furlough from the Military Academy. A handsome youth, in his cadet uniform he was even more attractive, "straight, erect, symmetrical in form, with finely shaped head on a pair of broad shoulders." The wedding at historic Arlington was witnessed by a happy assemblage of fair women and brave men from two States, and from the Capital of all the States. A contemporary chronicler declares that the stately mansion never held a happier assemblage. As to the bride, writes that preux chevalier, Fitzhugh Lee, it is difficult to say whether she was more lovely on that memorable June evening, or when, after many years had passed, she was seated in her arm-chair in Richmond, busily engaged in knitting socks for the sockless Southern soldiers.

The most ardent passion in the heart of this illustrious American was love for his wife and children. But he was not more devoted than discreet. One of his biographers recounts that when his eldest son, now General Custis Lee, was a very little child, his father took him to walk in the snow one winter's day. For a time he held the little fellow's hand, but soon the boy dropped behind. Looking

over his shoulder, he saw Custis imitating his every movement, with head and shoulders erect, putting his little feet exactly in his father's footprints. "When I saw this," said the General, "I said to myself, it behooves me to walk very straight, when this fellow is already following in my tracks."

His care for his children was not confined to their childhood. Late in life he writes to his son, Robert E. Lee, Jr., "I am clear for your marriage, if you select a good wife, otherwise you had better remain as you are for a time. An improvident or uncongenial woman is worse than the minks." We must recall that these bad minks are the chief pests of the Virginia farmer.

When General Winfield Scott was in 1846 entrusted with the command of our small but efficient army, intended for the reduction of the city of Mexico, Robert E. Lee, now captain of Engineers, was selected by that great soldier as a member of his personal staff. So profound was the impression he made on his veteran commander, that years afterwards, General Scott exclaimed to General Preston of Kentucky, "I tell you that if I were on my deathbed to-morrow, and the President of the United States should tell me that a great battle was to be fought for the liberty or slavery of the country, and ask my judgment as to the ability of a commander, I would say with my dying breath, 'Let him be Robert E. Lee.' "

The Mexican War over, with several brevets for distinguished services he came home and took part in constructing defensive works for Baltimore harbor, served for three years as Superintendent of the United States Military Academy,

and two new regiments of cavalry having in 1855 been authorized by act of Congress, Captain and Brevet-Colonel R. E. Lee of the Engineers was promoted to be lieutenant-colonel of the Second and afterwards to the colonelcy of the First Regiment. The latter was his command at the outbreak of hostilities between the Northern and Southern States.

We have now reached the period in the life of this great American where the current of events swept him swiftly to the foremost place among the military leaders of all the English speaking race. It is universally known that as General-in-Chief of the Confederate armies Lee at once achieved the most illustrious rank in the profession of arms, and was subjected to that fierce and for long implacable censure which invariably attends the most furious manifestation of human passion, a great civil war.

The time seems opportune for the American people to dispassionately inquire whether Robert E. Lee ever merited the reprobation even of the most ardent advocate of our "perpetual Union." It is also opportune for their countrymen to know that Southern men may rejoice in the reunited nation, and yet yield not a heart-throb of devotion to the noble soldiery of the South and their incomparable chieftain. Rich as it is in military glory, brilliant though the bead-roll of its heroes, the Nation can no longer afford to question the military and personal honor of Lee and his fearless compatriots, nor can our country with all its acknowledged power disclaim that warlike renown which gleamed on the bayonets and blazed in the volleys of the soldiers of the South. Nor do her greatest

and her best longer question the one or decry the other.

In the "Memoirs of General Grant" that great leader declares that his fearless foemen were as sincere in their devotion to the cause for which they fought, as were his own gallant armies to the flag of the Union. And of the soldiers of the South our soldier President of to-day has declared, that "they had the most hearty faith in the justice of their cause," and that "he is but a poor American whose veins do not thrill with pride as he reads of the deeds of desperate prowess done by the Confederate armies. And if they were sternly fighting for their convictions of right, and if the Nation should thrill with the story of their valor, how irrational it is to question the military or personal honor of their hero chieftain."

To the Constitution as he understood it, it is easily demonstrable that Washington himself was not more devoted than Lee. His written and spoken words, in that day of ungovernable passion, portray in the clearest light his immovable aversion to disunion. On January 23, 1861, to the wife to whom his heart was ever open, he wrote of Washington: "How his spirit would be grieved could he see the wreck of his mighty labors. I will not, however, permit myself to believe until all grounds of hope are gone, that the fruit of his noble deeds will be destroyed, and that his precious advice and virtuous example will so soon be forgotten." On the same day he wrote to his son: "I can anticipate no greater calamity for the country than a dissolution of the Union. It would be an accumulation of all the evils we complain of, and I am willing to sacrifice everything but honor

for its preservation. Secession is nothing but revolution. The framers of our Constitution never exhausted so much labor, wisdom, and forbearance in its formation, and surrounded it with so many safeguards and securities, if it was intended to be broken by every member of the Confederacy at will. It was intended for a perpetual union, which can only be dissolved by revolution, or the consent of the people in convention assembled." Since this and much other evidence of General Lee's devotion to the Union was first presented at Emory College, there came to the speaker a letter from Sacramento, California. It is written with the pathetic, tremulous hand of age and infirmity. It seems an important contribution to history, and the permission of the writer to make it public has been obtained.

"I have just seen in my daily paper," wrote my aged correspondent, "a very short synopsis of your tribute to General Lee, delivered at Oxford, Georgia, June 9th. The synopsis is altogether too brief for me, who treasure anything said in praise of that brilliant soldier and Christian gentleman. I ask as a personal favor that you will send me a copy *in extenso,* if it was so published. In line with the quoted letter to his son, I recall an incident just prior to the civil or sectional war. General, then Lieutenant-Colonel Lee, in command of the First Cavalry, U. S. A., had his headquarters at Fort Mason, Texas. I was then a first lieutenant, temporarily in command of Company A of that regiment. I left him at the post when I went on a short leave of absence to San Antonio, Texas. On my return I stopped for lunch at a place about half way to Mason, where a cool spring and some

large live oaks made an ideal camp or resting-place. A few minutes after I got there, an ambulance came from the opposite direction, and I was pleasantly surprised to see General Lee step from it. After a cordial greeting he told me he had the day before received an order to report to General Scott at Washington, and he feared it was to consult in regard to a plan of campaign against the South. He also said that Virginia, true to its past history, would not act upon impulse or be controlled by other States, but in a patriotic, dignified manner would only secede after exhausting every honorable means to avert secession, but that if his State seceded, he should resign, as he deemed it his duty to do so. As he talked on, time and again he oft repeated, with emotion that came from his heart, the hope that Virginia would not secede and that the Union might be preserved. His emotion, emphasized by the tears that moistened his eyes, impressed me the more deeply, as he was usually entirely self-contained. Virginia seceded in the manner he prophesied, he resigned, and offered his services as he said he would. I next saw him when I reported to him at Richmond. Every day I met him off duty at our lonely post, I was more impressed with the simple grandeur of his private character, and speaking of him, eulogy becomes cold truth. I am unable to write except painfully with a pen, and must therefore beg to be excused for writing with a pencil.

"I am, very respectfully your obedient servant,

"(Signed) GEORGE B. COSBY,

"Ex-Brigadier General, C. S. A."

Why then, it has been asked, did Lee draw his sword in maintenance of secession, which he fore-

saw and prophesied would inflict such calamities upon the people? The reply is that, as he understood it, he did no such thing. His attitude is made plain in the letter to his son, already quoted: "If the Union is dissolved and the Government disrupted, I shall return to my native State, and share the miseries of my people, and, save in defence, will draw my sword on none." The evidence that he acted from the loftiest sense of duty is irresistible. To Francis P. Blair, who, as the messenger of President Lincoln, offered to him the active command of the Union armies then about to take the field, he exclaimed: "If I owned the four million slaves in the South, I would be willing to sacrifice them all to the Union, but how can I draw my sword upon Virginia, my native State?" To him, what he had deemed revolution had come. He was convinced that the Union was in fact dissolved and the Government in fact disrupted. To him, Virginia, and Virginia alone, was his country. He was dealing with no theory, but with what he believed an appalling fact. It is not necessary to the vindication of Lee, to argue, as some have done, that secession was a constitutional remedy, nor that it was thus taught at West Point. This made no impression upon him. We have seen that he did not believe it. This much is plain—he did believe that the secession of the Southern States *ex proprio vigore* did in fact disrupt and dissolve the Union; that by revolution already accomplished, the Union had already ceased to exist, and henceforth that his allegiance was due to the State of his birth.

General Lee was now fifty-three years of age, and his character was known to thousands. Never

in any army was the morale and spirit of personal honor more elevated than among the renowned officers who held command in the old Regular Army of the United States. To these men the reputation of Robert E. Lee was as familiar as household words. Suspicion had not regarded; envy, the meanest of human passions, had spared him. Back-wounding calumny was voiceless before the honor of Lee. From his youth upward he had walked with God. No man can read his life and utterances and hesitate in the opinion that this man not only believed, but had positive knowledge of the presence of the Divine Spirit. His every announcement of victory was couched in terms of the sincerest gratitude to God.

He was no propagandist of revolution. He reiterated his regret for the bitterness in the public discussions of the day. He had no censure of Southern men who, like Thomas, Drayton, and Farragut, adhered to the Union. Nor is there a syllable of evidence that he attempted to withdraw from the Union cause any one of the multitude of skilful officers who were inevitably within the scope of his personal influence. For his own son, Lieutenant Custis Lee, a brilliant officer in the Regular Army, he wrote: "The times are indeed calamitous. The brightness of God's countenance seems turned from us, and His mercy stopped in its blissful current. Tell Custis he must consult his own judgment, reason, and conscience as to the course he may take. I do not wish him to be guided by my wishes or example. If I have done wrong, let him do better. The present is a momentous question which every man must settle for himself, and upon principle."

But this is not all. He was as self-sacrificial as sincere. His life had been spent in the Army. His cordial friendships were there. His beloved home Arlington was within the cordon of entrenchments of the National Capital, and than he no one knew more clearly that his adhesion to the cause of the South meant the loss, not only of his professional income, but of all his earthly means. Ever observant, knowing thoroughly the preponderant mechanical and military power of the Northern States, and knowing far better than most Southern men the imperturbable constancy and resolute courage of their citizenship, from the first he did not deceive himself as to the probable outcome of the struggle. To Southern men, who would depreciate the valor of the Union soldier, he was accustomed to say, "You forget that we are all Americans."

In addition to all of these considerations, there were influences powerful with ordinary men, indeed with many great men, by which it was sought to retain his matchless military genius in the service of the Union. As we have seen, the chief command of the Union Armies was offered him. No greater temptation, or greater opportunity, was ever offered a man of his marvelous genius for war. And after all, and as unanswerable as the unchallenged word and the stainless honor of Lee, for his vindication, there stands the record of his people, the steadfastness, the constancy, the sacrifices, the heroism of eleven American States, an empire vaster than that of imperial Rome under the reign of an Antonine or a Trajan. "I do not know," said Edmund Burke, "the method of drawing up an indictment against a whole people."

He desired to withhold his resignation until after his State had acted. He wrote to his brother, Sidney Smith Lee: "After the most anxious inquiry as to the correct course for me to pursue, I concluded to resign and send in my resignation this morning. I wished to wait until the ordinance of secession should be acted upon by the people of Virginia; but war seems to have commenced and I am liable at any time to be ordered on duty which I could not conscientiously perform. To save me from such a position, and to prevent the necessity of resigning under orders, I had to act at once, and before I could see you again on the subject as I had wished. I am now a private citizen, and have no other ambition than to remain at home. Save in the defence of my native State, I have no desire ever again to draw my sword. I send you my warmest love. Your affectionate brother, R. E. Lee."

He offered his resignation. It was promptly accepted.* From the white porch of his home he

*The biographer, the historian, and encyclopedist have made little, if any, mention of the acceptance of General Lee's resignation. I am indebted to the Secretary of War for this authoritative information, and the extract from the records of the War Department on this point, herewith printed:

WAR DEPARTMENT, WASHINGTON, *March* 27, 1909.

MY DEAR JUDGE SPEER:

In response to your letter of the 24th instant, relative to the acceptance of the resignation of General Robert E. Lee, I beg leave to say that the official records show not only that the resignation of General Lee (then Colonel, First Regiment, United States Cavalry) was accepted, but that he was officially notified of its acceptance, and that the fact of the acceptance was publicly announced in special orders issued to the Army.

Thinking that copies of the original documents in the case may be of interest to you, I transmit herewith a copy of Colonel

might behold the long columns and hear the approaching tramp of armies, hostile to his people and his State. The sword of Lee flashed from its scabbard. His resolve now that the awful hour had come, to die if need be for his loved ones and his home,—

"And how can man die better
Than facing fearful odds,
For the ashes of his father
And the temples of his gods?"

Lee's tender of resignation, dated April 20, 1861, and of the indorsements thereon; also a copy of a letter from the office of the Adjutant-General of the Army, dated April 27, 1861, notifying Colonel Lee of the acceptance of his resignation, and a copy of War Department Special Orders, No. 119, of April 27, 1861, publishing the announcement of the acceptance of the resignation.

Thanking you for your very kind expressions concerning myself, and with assurance of my high personal regard, I am

Very truly yours,

(Signed) J. M. Dickinson, Secretary of War.

Arlington, Washington City P. O., 20 *April*, 1861.

Honble. Simon Cameron, Secy. of War.

Sir: I have the honour to tender the resignation of my Commission as Colonel of the 1st Regt. of Cavalry.

Very respt. your obt. servt.

R. E. Lee, Col. 1st Cavy.

(Indorsement.)

Headquarters of the Army, Washington, *April* 20, '61.

Respectfully forwarded to the Adjutant-General by direction of the General-in-Chief.

E. D. Townsend, Asst. Adjt.-Genl.

(Indorsement.)

Respectfully submitted to the Secretary of War.

A. G. O., Apr. 24, '61. L. Thomas, Adjutant-General.

(Indorsement.)

Accepted.
Apl. 25, '61.

Simon Cameron, Secy. of War.

Napoleon said that Marshal Turenne was the only example of a general who grew bolder as he grew older. The campaigns of Lee will demonstrate that, aggressive from the first, his audacity was intensified until that final day at Appomattox, when his worn, wasted, and starving veterans, assailed on rear and flanks by the massy Army of the Potomac, were confronted by the overpowering force of the Army of the James. Indeed, the predominant features of his generalship are a daring audacity, associated with the clearest penetration of his adversary's designs, the profoundest combinations of strategy, and an influence over his soldiers unsurpassed by that of a Napoleon or a Caesar.

Holding the fortifications of Richmond in June, 1862, with a small force, and summoning to his aid from the Valley of Virginia the illustrious Stonewall Jackson, he boldly determined to cut loose from his entrenchments with the remainder of his army, and assailing the right flank of McClellan, sweep down the north side of the Chickahominy, and roll up like a scroll the long lines of

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ADJUTANT GENERAL'S OFFICE,
WASHINGTON, *April* 27, 1861.

Col. ROBERT E. LEE, 1st Cavalry, Washington, D. C.

SIR: Your resignation has been accepted by the President of the United States, to take effect the 25th instant.

I am, sir, very respectfully, your obedient servant,
(Sgd.) JULIUS P. GARESCHE, Asst. Adjt.-General.

WAR DEPARTMENT, WASHINGTON, *April* 27, 1861.

Special Orders, No. 119.

1. The resignations of the following officers have been accepted by the President to take effect on the dates set opposite their names respectively, to-wit,

Colonel Robert E. Lee, First Cavalry, April 25, 1861.

By order L. THOMAS, Adjutant-General.

his opponent, raise the siege of the Confederate capital, and if possible capture the gallant and powerful army by which it was threatened.

The astonishing military genius of his lieutenant, whom General Lee now called to his aid, General Thomas Jonathan Jackson, immortalized as "Stonewall," has cast unfading luster on the arms of the American soldier. This great commander had amazed the world with his campaign in the Valley of Virginia. His thoughts too were ever with God. A Presbyterian, and one of that numerous class, the Southern Puritan, his massive iron jaw gave earnest to his statement that to be under a heavy fire filled him with "delicious excitement." While in camp he organized prayer-meetings among the soldiers. However, that dashing sabreur, Fitzhugh Lee, whose manoeuvres at that period of his life perhaps did not compass many of these devotional exercises, informs us that when the meeting began, the hymn was raised, and the proceedings were evidently a success, Stonewall often went to sleep. It was General Ewell who declared that he admired Jackson's genius, but that he never saw one of his couriers approach without expecting an order to assault the North Pole. It was this renowned officer, who eluding the army of McDowell in his front, with his seasoned veterans, now swiftly joined Lee on his left, when they precipitated themselves upon the foe. In seven successive days of furious fighting, McClellan after tremendous losses of men and munitions of war was driven to the James, the siege of Richmond was raised, and the Union Army was transferred by water to the defense of the Union Capital itself. In the mean time, Lee

had determined if possible to expel the Union forces from the soil of Virginia, and with little respite for his army, now flushed with victory, moved northward against the army of Major-General Pope. This officer was the possessor of no small degree of military capacity. He was, however, not more unfortunate in the result of his contest with Lee, than in the proclamations with which he announced his plans. He stated that his headquarters would be in the saddle, that he was not accustomed to see anything of rebels but their backs, etc. General Lee started Stonewall for this confident warrior. General McClellan, who was a highly scientific commander, anxiously observing the situation, did not have his apprehensions altogether allayed by Pope's proclamations. He wired to the War Department in Washington: "I don't like Jackson's movements. He will suddenly appear when least expected." General McClellan was prophetic, for Jackson struck Pope with terrible impact at Cedar Mountain, by a tremendous forced march swept around his flank, tore up the railroad in his rear, captured a number of guns, many prisoners, and several trains loaded with stores and munitions of war. The weary "foot cavalry" of Jackson, as they were called, now revelled in luxuriant plenty. They were not, as usual, violating the scriptural injunction by saying "what shall we eat, or what shall we drink, or wherewithal shall we be clothed." And now Pope, perceiving the exposed position of this Confederate force, informed General McDowell that he would "bag Jackson and his whole crowd"; but that warrior, after his soldiers were stuffed to repletion with the delicious "commissaries" designed for the

nourishment of Pope's army, bearing off everything not too hot to hold, or too heavy to carry, set fire to the rest, and leisurely marched away in another direction. Pope marched to Manassas. Jackson was not there. Misled by the track of two divisions, which to deceive him Jackson had sent in that direction, Pope posted off to Centerville, but Jackson was gone. In the mean time, "Old Jack," with "all his war paint on," and with his intrepid veterans, was in battle formation waiting for Pope, behind the line of an unfinished railroad stretching from the Warrenton turnpike in the direction of Sudley's Mill, where it suited him to make his fight.

Against this single corps of Lee's army, Pope, having been largely reinforced by McClellan, directed a dreadful attack. The disproportion in numbers against the gray fighters was terrifying, but with unshaken tenacity they held their ground. At last, Longstreet's columns came pouring through Thoroughfare Gap. Lee, massing his artillery against the flank of Pope's army and at the same time directing against it the flaming advance of the Confederate infantry, paralyzed the attack on Jackson. The Union army, driven from the field with fearful loss, took refuge in the entrenchments at Washington, and the victory was complete. Well might the exultant boys in gray lift their voices in their lilting marching song:

> "Lee formed his line of battle,
> Said, 'Boys, you need not fear,
> For Longstreet's in our center,
> And Jackson's in their rear.'"

Of the sensations of General Pope, on the other

hand, we have no adequate account, but notwithstanding his recent proclamations, it is possible that he was willing to resign his task to some other great general. Possibly his state of mind was like that of an unregenerate church member, who had listened to a long and somewhat tiresome sermon on the Major and Minor Prophets. And when the good preacher asked, "Where shall we place Amos?" "Brother," said the tired one rising up, "Amos may have my place if he wants it, for I'm going home."

Not content with these successes, General Lee determined to carry the war into his enemy's country. The Army of Northern Virginia, its bands playing the inspiring strain "Maryland, My Maryland," forded the swift Potomac, while Jackson assailed a large force of his enemy at Harper's Ferry and reduced that place. Leaving another to arrange the details of the surrender, Jackson marched with amazing speed to join Lee at Sharpsburg, where the latter was confronted by the magnificent army of McClellan. General Lee was now in great danger. Nothing indeed saved him but the skill of his dispositions and the desperate determination with which his slender line of infantry, almost without artillery support, for hour after hour, beat back and fought to exhaustion one of the bravest and most powerful armies ever assembled under the Stars and Stripes. Fighting McClellan to a standstill, Lee at his leisure coolly withdrew his army across the Potomac. Here he was followed, but with such display of caution by the Federal commander, that the Government at Washington, losing patience with that distinguished officer, removed him from command. Gen-

eral Burnside, a courtly gentleman and heroic soldier, was now entrusted with the task of taking Richmond.

The winter was now at hand, and Burnside moved his gigantic force to Fredericksburg. From the heights of Stafford, like Moses on Pisgah, he "viewed the landscape o'er," but no "sweet fields beyond the swelling flood" enchanted his vision. Instead, the spectacle of Lee's gray fighters, holding every coign of vantage, inviting him to come across. So indeed he did, and through one of the bloodiest days in all its glorious history, the Army of the Potomac again and again essayed to break those fierce lines which barred its way to Richmond. The carnage was fearful, and despite the unshrinking courage of the Union Army, under the pitiless death hail the task was impossible. For a moment, in that portion of the line commanded by Stonewall Jackson, the Confederate formation was broken, but the brave division of General Jubal Early came rushing to the point of danger. Ever jocular in the moment of greatest peril, the shouts of those farmer boys were heard above the roar of battle and the shriek of shells: "Here comes old Jubal; let Jubal straighten that fence." And the fence was straightened and not again broken. Jackson's men feigned to ascribe their temporary disorder to the fact that their general had that day replaced his ordinarily dingy suit with a bright new uniform resplendent with gold lace. Some of them said that "Old Jack was afraid of his clothes and would not get down to his work."

After this disaster General Burnside was removed, and General Hooker was placed in com-

mand of the Union army. Crossing the Rappahannock and Rapidan above Fredericksburg without resistance, the moring of April the 30th, 1863, found his army concentrated at Chancellorsville. At the same time, General Sedgwick crossed the river below Fredericksburg with a force of fifty-two thousand four hundred and one men. It was presumed that Lee would confront this powerful demonstration on his right, and thus enable Hooker to move down the river, overwhelm his left and take his fortifications in reverse.

In the mean time, Stuart's cavalry had kept the Confederate commander advised of all these movements. The cool judgment of Lee was not disturbed. He saw that Sedgwick was three miles below Fredericksburg, and that Hooker was ten miles above. He determined to retard the march of Sedgwick, to move on Hooker, and crush him before he could get out of the Wilderness. On the morning of the first of May, General Hooker, persuaded that Lee was attempting to stand off Sedgwick thirteen miles away, put his massive columns in motion on the road towards Fredericksburg; but when the head of his columns debouched from the forest near Chancellorsville, to his amazement he beheld the ragged but confident veterans of Lee advancing in line of battle. General Hooker was a soldier of fame and a man of intrepid courage. He had meant to attack Lee, and it had not occurred to him, it seems, that he might be himself attacked. Perceiving that Lee would destroy the heads of his columns as fast as they would come out of the forest, he ordered his army to fall back to their lines around Chancellorsville. Lee swiftly followed. The Confederate leader soon

discovered that frontal attack on Hooker's line was impossible; but that night a belligerent parson, the Rev. Dr. Lacy, came with Stuart to Lee, and informed him that it was practicable to move around by the Wilderness tavern, and strike Hooker on his right flank. Jackson, with his whole corps, was immediately ordered to make this movement.

The next morning witnessed the last meeting, in this life, between Lee and Jackson. Lee was standing hard by the bivouac, watching Jackson's troops as they sped by with the untiring pace of the forced march. Jackson stopped and exchanged a few words with his noble chief, but speedily rejoining his troops, their last parting was over. The Duke of Wellington, it is said, declared, "A man of fine Christian sensibilities is totally unfit for the profession of a soldier;" but of this incomparable pair it is true that all the bloody annals of our race contain no account of two others who surpassed them in military genius or achievement, and of no other with more implicit faith in the promise to the Christian of salvation and immortal life beyond the grave.

The sequel of the movement of Jackson's corps is familiar history. Fitzhugh Lee by personal reconnaissance had located the exact position of the Union right, and conducted that great soldier and his terrible infantry to the point of attack. Swiftly forming his divisions as they came up at right angles to Hooker's line, Jackson's men with their terrifying charging yell burst upon the unsuspecting Federals. It is said that "Rabbits and squirrels ran, and flocks of birds flew in front of the advance of these twenty-six thousand men,

who had dropped so suddenly into their forest haunts. The surging, seething sea swept away all barriers. Many of the officers attempted to turn back the human tide, but as well might Pharaoh have tried to resist the walls of the Red Sea. Lee's audacity had won. Hooker's right had been fairly turned and rolled in a sheet of flame upon his center."

Now the night had fallen. In the confusion and darkness, Stonewall Jackson fell by the fire of his own men. Jackson had lost his left arm; Lee, as he declared, the right arm of his army. To the last, Jackson's men upheld to the uttermost their renown as incomparable soldiers, but never again did men behold the fire and fury of their battle, as when driven by the impassioned energy of that impetuous soul, now gone to its reward. The next morning the battle was renewed. After a bloody day Hooker and Sedgwick were both driven across the Rappahannock, and for two years more the Stars and Bars were to float defiantly above the Confederate Capital.

With his army at the very acme of its morale and its efficiency, Lee now determined to again cross the Potomac. Thus the campaign of Gettysburg began. No other great movement directed by the Southern commander ever had more hopeful promise of success. Never so formidable was that heroic American army of the Southern States, seasoned and inured to war, which marched under their shot-riven battle-flags to Gettysburg, the high-water mark of the Confederacy. The story of this battle of Titans is an oft-told tale. I will not discuss the causes of disaster there to the Army of Northern Virginia. The profession of arms

and the students of military history the world around discuss it. But it is known of all men that it was ascribable neither to error of military judgment, to faulty dispositions on the part of the Confederate commander, nor to the want of valor and enthusiasm by his devoted soldiery. Beyond the nobility, almost superhuman, of assuming the blame himself, Lee was silent. From his lips no word of censure ever fell upon the military renown of his great corps commander, the intrepid and immovable Longstreet.

We have seen Lee in victory. Let us for a moment regard him in defeat. Colonel Freemantle of the Coldstream Guards is our witness. Pickett's division had been destroyed. In the hour of their repulse the Confederate officers were every moment expecting the counter-stroke, like that with which at Waterloo Wellington had crushed Napoleon. Said the distinguished officer of the British Army, from whose account I quote: "The further I got, the greater became the number of wounded. At last I came to a perfect stream of them flocking through the woods in numbers as great as the crowd in Oxford Street in the middle of the day. Some were walking alone on crutches, composed of two rifles, others were supported by men less badly wounded than themselves, and others were carried on stretchers by the ambulance corps; but *in no case* did I see a sound man helping the wounded to the rear, unless he carried the red badge of the ambulance corps. They were still under a heavy fire; shells were continually bringing down great limbs of trees, and carrying further destruction amongst this melancholy procession." Colonel Freemantle continues: "The con-

duct of General Lee was perfectly sublime. He was engaged in rallying and in encouraging the broken troops, and was riding about, a little in front of the wood, quite alone * * * the whole of his staff being engaged in a similar manner further to the rear. His face, which is always placid and cheerful, did not show signs of the slightest disappointment, care, or annoyance; and he was addressing to every soldier he met a few words of encouragement, such as, 'All this will come right in the end; we'll talk it over afterwards; but, in the mean time, all good men must rally. We want all good and true men just now,' etc. He spoke to all the wounded men that passed him, and the slightly wounded he exhorted to 'bind up their hurts and take up a musket' in this emergency. Very few of them failed to answer his appeal, and I saw many badly wounded men take off their hats and cheer him. He said to me, 'This has been a sad day for us, Colonel, * * * a sad day, but we can't expect always to gain victories.' It was difficult," said Colonel Freemantle, "to exaggerate the critical state of affairs as they appeared about this time. Notwithstanding the misfortune which had so suddenly befallen him, General Lee seemed to observe everything, however trivial. When a mounted officer began licking his horse for shying at the bursting of a shell, he called out, 'Don't whip him, Captain, don't whip him. I've got just such another foolish horse myself, and whipping does no good.' General Lee and his officers were evidently fully impressed with a sense of the situation; yet there was much less noise, fuss, or confusion of orders than at an ordinary field-day. The men as they were

rallied in the wood were brought up in detachments, and lay down quietly and coolly in the positions assigned to them."

In all that gallant army Colonel Freemantle saw but one demoralized man. "I happened," he said, "to see a man lying flat on his face in a small ditch, and I remarked that I didn't think he seemed dead; this drew General Lee's attention to the man, who commenced groaning dismally. Finding appeals to his patriotism of no avail, General Lee had him ignominiously set on his legs by some neighboring gunners." This observer quotes the non-commissioned officers and privates to whom he talked: "When they saw General Lee, they would say, 'We've not lost confidence in the old man; this day's work won't do him no harm. 'Uncle Robert' will get us into Washington yet; you bet he will,' " etc. And he adds, "No words that I can use will adequately express the extraordinary patience and fortitude with which the wounded Confederates bore their sufferings."

The day after this terrible and disastrous fighting, the retreating army of Lee again came under the observation of this critical and impartial observer. There were no signs of disorder or defeat. He said, "The road was full of soldiers marching in a particularly lively manner * * * the wet and mud seemed to have produced no effect whatever on their spirits, which were as boisterous as ever. They had got hold of colored prints of Mr. Lincoln, which they were passing about from company to company, with many remarks upon the personal beauty of Uncle Abe. The same old chaff was going on of 'come out of

that hat * * * I know you are in it * * * I see your legs a-dangling down,' " etc.

Indeed, the evidence of impartial observers, of Confederate officers, and of the events after the battle, notwithstanding this terrible experience, and the loss of twenty thousand four hundred and fifty-one men, is that the morale of Lee's army was in little or nothing impaired. It had inflicted a loss upon its gallant opponents of twenty-three thousand and three killed, wounded and captured. No serious attack was made upon its retreating columns. So severe was the blow it had inflicted upon General Meade, and so cautious was his advance, that, nettled by criticisms from Washington, the general of the victorious army at once tendered his resignation.

But General Meade was not to blame for his caution. It is obvious that before there can be a pursuit, there must be somebody to run away, and nobody ran from Gettysburg. Indeed, after the First Manassas, a routed or disorganized army was scarcely seen on either side in the great Civil War. The opposing armies were of the people. When the call to arms came, the plow was stopped in the furrow, the whirr of machinery was hushed, and the hammer slumbered voiceless on the anvil. Oh, how quickly they came, and how gallantly and lightly they marched into the valley and the shadow of death. They could not foresee its horrors. Theirs had been the piping times of peace. But when they closed with the foe on the crest of battle, also theirs was the blood and nerve the king of terrors himself could not appall. Four years of deadly fighting, dreadful suffering, and unshaken constancy convinced the world that the

military virtues of the American soldier have never been surpassed. Whether like the thin red line that held the slopes at Waterloo, they withstood the assault and rolled back the charging columns, or like the Household Brigade at Steinkirk, with the shout, "We must do it with the sword," the gentlemen of France hurled their column on the foe, they were equally unsurpassed. But few remain. Most are old and worn. The untiring step which kept the pace of the forced march is now feeble. The hand that pulled the lanyard or guided the steed is tremulous. The clear eye that glanced along the deadly rifle is growing dim. And when the last of the venerable throng shall

> "Sink to rest,
> With all his country's wishes blest,"

then will their deeds, as they deserve, receive proud recompense."

> "We give in charge their names to the sweet lyre.
> The historic Muse, proud of the sacred treasure,
> Marches with it down to latest times,
> And Sculpture in her turn gives bond in stone and ever-during brass,
> To guard and to immortalize the trust."

No complaint ever fell from Lee's lips, but on more than one occasion he declared, "If General Jackson had been at Gettysburg, we would have won a great victory."

The winter of '63 and '64 was passed by General Lee in unremitting efforts to strengthen his army for the dreadful campaigns to ensue. The Confederacy had been cut in two by the fall of

Vicksburg. The presence of hostile armies in North Georgia had restricted the resources of the Army of Northern Virginia practically to three States, and these were denuded to the soil. But scanty supplies could be forwarded, for the condition of the railroads and rolling stock was irremediable. Such are the misfortunes of a people without mechanical skill, or power. All of the ports were now tightly blockaded save Wilmington, and that was closed with the fall of Fort Fisher. Well informed men everywhere, and especially military men, were convinced that the army of Lee could not endure another campaign. The impossibility of feeding his men overwhelmed the General. One day he received by mail an anonymous communication from a private soldier, containing a minute and meager slice of salt port carefully packed between two oak chips. With this came a letter, stating that this was the daily ration of meat, that the writer could not live on it, and though a gentleman, was reduced by the cravings of hunger to the necessity of stealing. This incident gave General Lee great pain and strong remonstrances were addressed to the commissary department, but all in vain. He writes his wife that "thousands are barefoot, thousands with fragments of shoes, and all without overcoats, blankets, or warm clothing." Of a movement he was compelled to abandon, he declares, "I could not bear to expose them to certain suffering on an uncertain issue." Doing all in his power to alleviate their physical sufferings, he does not neglect the spiritual welfare of his men. He confers with the chaplains and attends their religious services. More than once, in the stress of a swift

ride to the front, he is known to dismount and join in the simple prayer service of his soldiers. His headquarters during that winter are in a plain army tent stationed on a hillside near Orange Court House. He shares all the privations of his men, and writes home to his distressed wife with unabating cheerfulness. One day he writes, "All the brides have come on a visit to the army, Mrs. Ewell, Mrs. Walker, Mrs. Heth, etc." General Ewell, who had lost one of his legs in the campaign of '62, had been married in a romantic fashion. "Virginia," said a contemporary, "never had a truer gentleman, a braver soldier, nor an odder, more lovable fellow." He was very absent-minded. His bride had been a widow, a Mrs. Brown, and he would with great formality introduce her, "Allow me to present my wife, Mrs. Brown."

And now the year of battle was at hand. The entire military power of the Union was placed under the control of one master mind, General U. S. Grant, a great commander, not more clear-sighted and formidable in the operations of war, against his enemy with arms in his hands, than gentle and magnanimous to that enemy in honorable defeat. So absolute was his authority, that on April 30, 1864, Mr. Lincoln wrote him: "The particulars of your plans I neither know nor seek to know. I wish not to obtrude any constraints or restraints upon you." Well had it been for the hopes of the Confederacy had similar powers been given to General Lee. This was finally done, but only a few days before Appomattox.

Lee now commands sixty-two thousand men. There are present with Grant's colors one hundred

and eighteen thousand. These deployed in double line of battle would cover a front of thirty miles, and overlap Lee's line by fourteen miles. Grant may confront Lee with equal numbers, and at the same time with fifty-six thousand men assail him on either flank. Nor does this take into account the enormous reinforcements which the Union General is constantly receiving.

On the 5th of May Grant crosses the Rappahannock and the Rapidan, and starts with his massy columns on the road to Richmond. Soon his thousands are entangled in the Wilderness, and Lee, ever audacious, with a portion of his army is thundering on his right marching flank. "It is," said a biographer of General Lee, "a terrible field for a battle, a region of tangled underbrush, ragged foliage, and knotted trunks. You hear the saturnalia, gloomy, hideous, desperate, raging unconfined. You see nothing, and the very mystery augments the horror; from out the depths comes the ruin that had been wrought, in bleeding shapes borne in blankets or on stretchers. Soldiers fall, writhe, and die unseen, their bodies lost in the bushes, their dying groans drowned in the steady, continuous, unceasing crash." Both armies fight with all the intrepid courage of their heroic line.

With great sweep to the left, Grant seeks to reach Spottsylvania Court House, and interpose between Lee and Richmond, but when he reaches his objective the riflemen of Lee are in his path. For twelve days the intrepid army of the Union reiterated the fierce and continued assaults upon the thin gray line. Occasionally broken by overpowering numbers, but rallying and charging

anew under the inspiring presence of their leader, these heroes in rags ever hold their ground.

At half past four on the morning of the 12th of May, over a salient on General Ewell's works, that gallant Union General whom Meade termed "Hancock the superb" rushed a storming column, taking many Confederate prisoners and twenty pieces of artillery. The line was untenable. The engineering eye of Lee had detected this defect, but while withdrawing the artillery to make a re-alignment, the charging columns came. The moment was critical. The Confederate army was cut in two. And, determined to restore his line, with the fighting blood of his hero strain lighting his face with the glow of battle, Lee, mounted on "Traveler," brave as his master, dashes to the front of the charging columns, and bares that good gray head, to lead his men into the death hail sweeping the Bloody Angle. But another is there! In civil life and on the crest of battle a leader of men, daring, magnetic, eloquent, a hero fighter while the war is on, but ever afterwards an apostle of peace and reconciliation, who, reflecting glory upon the generation he survived, crowned with all that should accompany old age, idolized by every Southern and venerated by every American heart, to the last "sustained and soothed by an unfaltering trust," has now drawn

> "The drapery of his couch
> About him, and lies down to pleasant dreams,"

Lieutenant-General John B. Gordon. And under the wave of Gordon's sword, the fearless veterans advance. The Stars and Bars, and Stars and Stripes, are in actual contact across the blood-

stained rampart. The driving storms of rifle-balls gnaw off the forest trees, which crushing fall on friend and foe. Drenched with rain, covered with clay, and blackened with powder, the opposing lines desperately fight. Shells bursting from mortar fire rain down destruction, storms of canister sweep the parapets, the Minies ceaselessly hail across the appalling scene. The dead bodies sometimes four deep are again and again thrown from the trenches, which run with blood. When after twenty hours of death grapple, through sheer exhaustion, the battle fails, unshaken in their lines stand the heroes in gray, and Gordon's pledge to Lee is kept.

Day after day the tragic, piteous story is the same. On the North Anna, at Cold Harbor, in many an unnamed battle, the army of Grant hurls itself with devoted courage against the swerveless constancy of Lee's fierce and hungry soldiery. Thousands of the bravest and the best on both sides perish. When the fight is over, the inanimate clay is in the trenches laid, and the slender earthworks which sheltered the living turned over on the silent heroes, whether of the Blue or the Gray, now shelter the dead.

Convinced that in the field the army of Lee is unconquerable, General Grant swiftly transfers his army to the south of the James. He intends to surprise Petersburg, and compel the evacuation of Richmond. But Lee's penetration is not at fault. The slumbers of the people of the Confederate Capital are disturbed by the tramp of marching thousands. It is the tireless quickstep of Lee's fighters hastening at top speed to find their foe. In all the history of human strife never was

march more fateful. The steam flotilla and the pontoon bridges of General Grant had given his army a start of many hours. He was now south of the James. Petersburg, gateway to the Confederate Capital, was almost within his grasp. Lee's army was north of the river, many miles away. The most untutored of all those desperate fighters knew the danger to their cause as well as Lee himself. No sound in those fierce ranks, save the clank of accoutrements, the tread of rushing thousands, and the stern commands of their officers. With set and rigid faces, parched throats, and untiring muscles, onward, ever onward press those terrible men in gray. Not in vain now, the wind and training of years of furious fighting, hard marching, and slender rations. Not in vain through their great hearts streamed the hero blood, flowing down from far distant sires, from sires who rolled back from German forests the fierce legions of Varus, from Saxons who had hurled from the trenches at Hastings the mail-clad warriors of the Conqueror, from Crusaders who had "swarmed up the breach at Ascalon," from yeomanry who had cloven down the chivalry of France at Agincourt and Poitiers, from ragged Continentals who had won American independence. And so, when the first blush of dawn breaks on Petersburg, the last stronghold of the Confederacy, and the charging columns of Grant rush to the attack to brush away the slender force of veterans, home-guards, and convalescents, who stood them off the night before, up rose from the trenches the rebel yell, out broke the riven battle flags, down came the rifles with steady aim, and forth blazed the withering volleys, which told the Army

of the Potomac that the men of Manassas, Fredericksburg, Antietam, Chancellorsville, the Wilderness, Spottsylvania, and Cold Harbor had again arrived in time.

As predicted by General Lee, the siege of Petersburg is but a question of days. Held by a mistaken policy immovably in his lines, his unequalled powers as a strategist are now of no avail. His enemy finds him at will. His bright sword, whose lightning play for so long has parried every thrust, and again and again has flashed over the guard, and disabled his foe, now held fast as if on an anvil, may be shattered by the hammer of Grant. His is soon a phantom army. The lean and hungry faces seem to belong to shadows without bodies. The winter falls; their uniform is a rude patchwork of rags. On those rare occasions when there are cattle to kill, the green hides are eagerly seized, and fashioned into rough buskins to protect bare and bleeding feet from the stony and frozen ground. Often their ration is a little parched corn, sometimes corn on the cob. Jocular to the last, "Les Miserables" they call themselves, appropriating, with pronunciation which would have startled the author, the title of Victor Hugo's famous novel, which, reprinted in Richmond on wrapping paper, affords some of them solace through these awful days.

"Day and night for months," writes one of Lee's biographers, "an incessant fire without one break rained down upon them all known means of destruction. Their constancy during those dismal days of winter never failed. Night came; they lay down in their trenches where cold and the enemy's shells left them no repose. Snow, hail,

wind, rain, cannon-fire, starvation — they had to bear all without a ray of hope." Their lines stretch from below Richmond on the north side of the James, to Hatchers Run far to the south of Petersburg. In front of them, supplied with every comfort and every munition of war, is a mighty, brave, and disciplined army. In many places the Federal and Confederate lines are not a dozen yards apart. Finally, with thirty-three thousand men, Lee is holding forty miles of trenches; and every night his men unroll their thin blankets, and unloose their shoe-strings with deep forebodings of what the morrow may bring. Officers and men know that the end is at hand, but their desperate courage never falters; and when at last the powerful army of Sheridan is detached to assail his right flank, and Lee is compelled to withdraw the infantry from his line to meet this movement, in the absence of defenders, Grant, as if on parade, though with dreadful loss, marches over the Confederate lines; Richmond falls, and after a brief interval of heroic unavailing strife, the Army of Northern Virginia is annihilated. The fearless remnant of the worn and wasted veterans, surrounded at Appomattox by ten times their number, without a word of unkindness from their brave foemen, whom they had so often defeated, so long held at bay, with all the honors of war, surrender their battle-riven standards.

Then came that ever to be remembered scene, when his loving veterans gather at the side of their General, press his hands, touch his clothing, and caress his horse. In simple, manly words, he said: "Men, we have fought through the war together. I have done my best for you. My heart is too full

to say more." And then came the last order to the Army of Northern Virginia, read through tears which wash the grime of battle from the veteran's face; not tears of anger or humiliation, but tears of sympathy for him, of exultation and pride for the martial honor even for the humblest private, his leadership had won; honor preserved to them with arms in their hands, by the terms of the surrender; the proudest heritage to the latest times of all the generations of that hero strain. Aye, more, a heritage of valor and potency, now and forever at the command of our reunited land, which the powers of earth may well heed in all the contingencies threatening to our safety the future may have in store.

And came then that sad autumnal day, so many years ago, yet so near to us who wore the gray, as, standing with wife and loved ones, to invoke on his frugal table the blessing of the Master he loved and served, he sank to rise no more. Oh, what then did foe and friend say of Lee? Much was said, but all was said by one, in the words of the Arthurian legend:

"Ah, Sir Lancelot, there thou liest. Thou wert head of all Christian knights, and now, I dare say, thou wert the courtliest knight that ever bare shield * * * and thou wert the kindest man that ever strake with sword; and thou wert the goodliest person that ever came among press of knights; and thou wert the meekest man and the gentlest that ever ate in hall among ladies; and thou wert the sternest knight to thy mortal foe that ever put spear in rest."

Deny him a place by Washington? Ah, is it sure, if in the awful hour when hostile armies

approached Virginia's soil, the winds of the Prophet had breathed upon the dead that they might live, caught from the wall at Mount Vernon by his reincarnated hand, the defensive blade of Washington would not have gleamed beside the sword of Lee? Repel not then, my country, the fervid love of thy sons who fought with Lee, and of their sons. Their prowess thou hast seen: on the hills of Santiago, on the waters of Luzon. The flowers of Spring thy equal hand wilt henceforth strew on graves of all thy hero dead. Repel not then his blameless name from thy Immortals' scroll. And in thy need, on those who love him thou wilt not call in vain.

FACING PAGE 85

ULYSSES S. GRANT*

Mr. President and Fellow Citizens:

I am sensible of my high privilege in the opportunity to come from my distant Southern home to take part in these memorial exercises in honor of the great American whose natal day we celebrate. Of the illustrious man himself you require no information. You are familiar with the incidents of his youth, and with his gallantry and devotion to duty as a young officer in the famous little army of our country at Monterey, Cerro Gordo, Chapultepec, Molino del Rey, and other victories which culminated when the stars and stripes streamed above the city of Montezuma. You who were his neighbors know his Spartan simplicity and modest bearing, before glory marked him as her own. You who were his comrades rejoice in your recollections of his indomitable courage, his fertility of resource, his marvelous military intuitions, the broad comprehensiveness of his strategy and the dynamic energy with which he reiterated blow upon blow until his campaigns were crowned with victory. And thousands who now claim with pride the honor of being his countrymen, but who fought him with unflinching but unavailing valor at Donelson, Shiloh, Vicksburg, Chattanooga, and from the Wilderness to Appomattox, cherish with

*Delivered at the invitation of the Grant Birthday Association of Galena, Illinois, in that city, on General Grant's seventy-seventh birthday, April 27, 1898.

grateful remembrance his generosity to the conquered in the hour of his triumph. Indeed, to him more justly than to Marlborough we may all apply the lines of Addison:

> "Unbounded courage and compassion joined,
> Tempered each other in the victor's mind,
> Alternately proclaim him good and great,
> And make the hero and the man complete."

While we indulge the national pride, now the common heritage of our reunited country, in the astonishing renown, achieved in a period incredibly brief by this unpretentious citizen of historic Galena, it may be well for us to contemplate the mighty issue for which he fought, and reverently inquire if the soul of the hero patriot was not animated and impelled by a power beyond the compass of finite intelligence. The providence of God, we may believe, has been often beneficently shown in seasons of great emergency, by the phenomenal development of men of preeminent power, men whose moral and mental forces seemed designed by the Creator to meet and to supply to the uttermost exigencies of the nation and of civilization. Such a man was David, the greatest king of Israel. A thousand years before the coming of the Saviour, when the ancient people of God were torn by internal dissensions, and their national existence threatened by hostile neighbors, this great Hebrew, displaying in his own person the noblest attributes of his race, obliterated tribal jealousies, consolidated the nation, extended its dominions from the mountains "round about Jerusalem" to the Orontes and the Euphrates, and perpetuated his martial and civic victories in immortal strains of

triumph and adoration to Jehovah. Such was Cromwell. Unlike David, no prophetic hand had imprinted the seal of divinity upon his brow, but the words of his mother's blessing, in her ninetieth year, gave evidence that she foresaw his mighty services to liberty and to man. With the mysterious foreknowledge of the dying, the noble woman uttered this touching benediction: "The Lord cause his face to shine upon you and comfort you in all your adversities, and enable you to do great things for the glory of your most high God, and be a relief unto His people. My dear son, I leave my heart with thee. A good night."

How the mother's prayer was granted, some of the brightest pages in the annals of our race record. Her fleeting senses must have caught the future accents of that imperial voice which, in the words of Macaulay, "arrested the sails of the Lybian pirates and the persecuting fires of Rome." She must have heard the thunderous hoofs of his Ironsides as they charged through Rupert's squadrons on Marston Moor and made them "as stubble to his swords," and as the morning sun shown on the steel-clad lines at Dunbar, the shout of the patriot, "Let God arise, let his enemies be scattered!"

Such a man was Washington, father of his country. But for his incomparable fortitude, perseverance, reserve, resourcefulness, heroism, and honor, that country had not been, and undoubted as were the military merits of the patriot commander, his chief title to the love and veneration of his countrymen springs from his labors to create the Union, the salvation of which in its darkest hour is mainly ascribable to the fixedness of will,

the perfectness of judgment, the rectitude of intention, the comprehension of mighty movements, the intrepid mind and dauntless courage accorded by the providence of God to Ulysses S. Grant.

The War for Independence, which made the Union possible, was fought without a government. It is probably true that its seven years would not have been seven months, before the final discomfiture of the British, if Patrick Henry's three millions, "armed in the holy cause of liberty," had been controlled by the Constitution as it exists today. Government without law, or without power which is a law unto itself, is impossible. The patriots had neither. It is true that they had the Continental Congress, which described itself as "The Delegates Appointed by the Good People of These Colonies." This body deserved the eulogium of Chatham who declared it to be "the most honorable assembly of statesmen since those of the ancient Greeks and Romans in the most virtuous times." This Congress adopted the Declaration of Independence, which was termed "The Declaration of the Representatives of the United States of America in Congress Assembled." It is true that this declaration recited that, as free and independent States, "they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do." But it is also true that there was neither law nor authority by which the Congress could compel the obedience of the people, or make effective the lofty purposes of that noble instrument. Benjamin Franklin, with that sagacity of which his name will be always proverbial, nearly a year before the

Declaration, had placed his unerring finger on that weak spot of our economy. Long the advocate of a union between the colonies, this great man now submitted a draft of a proposed union which should last until reconciliation with the mother country, and if reconciliation could not be, then for a perpetual union. But Franklin's plan was ignored. It is, however, true that on the 11th day of June, 1776, when the Continental Congress appointed a committee to prepare the Declaration of Independence, it provided for another committee to prepare and digest a form of confederation. The report of this committee was not approved by Congress until the 15th day of November, 1777. It was not adopted by a sufficient number of the States until the 1st day of March, 1781, but seven months and nineteen days before the surrender of Lord Cornwallis at Yorktown. In the mean time it had seemed, that notwithstanding the extraordinary exertions of Washington, the cause of the patriots would perish. Without credit, with no power to collect taxes, or enforce requisitions, with one hundred and six millions of Continental dollars in circulation, at the beginning of 1779, it was said that a wagon load of money would scarcely buy a wagon load of provisions. In April of that year the Continental dollar was worth five cents. At the end of the year it was worth less than two and a half cents.

Then perhaps may have been heard for the first time the expression "Not worth a continental," profanely enlarged, when, pursuant to law, the Latin *"Damnatus Est"* was stamped on Continental bills. The soldiers at the front saw clearly the difficulty, as soldiers ever do. They saw how value-

less for government was a voluntary association of sovereign and uncontrollable communities, and among the ragged Continentals, as they shivered in their cantonments on the banks of the Hudson, the commonest toast, after the fashion of that day, was, "Here's a hoop to the barrel."

The situation of the country was indeed a reproach to the American character. Congress and particular States were appealing to France for loans when, man for man, the American people were richer than the subjects of the French king. The soldiers were starving. They had not been paid for five months. "Nothing prevented them from going to their homes," writes a contemporary, "save the influence of the Commander-in-Chief, whom they almost adore." And of Washington, General Greene wrote privately: "The great man is confounded at his situation and appears to be reserved and silent. Should there be a want of provisions, we cannot hold together many days in the present temper of the army." Washington himself wrote: "Certain I am, unless Congress are invested with powers by the several States competent to the great purposes of war, or assume them as matter of right, and they and the States respectively act with more energy than they have hitherto done, our cause is lost. We can no longer drudge on in the old way. By ill-timing in the adoption of measures, we incur enormous expense and derive no benefit from them. One State will comply with a requisition of Congress; another neglects to do it; a third executes it by halves; and all differ either in the manner, the matter, or so much in point of time, that we are always working up hill. While such a system as the present

one, or want of one, prevails, we shall ever be unable to apply our strength or resources to any advantage."

The chivalric LaFayette, writing home to his wife, declared: "No European army would suffer one-tenth part of what the American troops suffer. It takes citizens to support hunger, nakedness, toil, and a total want of pay which constitutes the condition of our soldiers, the most patient that are to be found in the world."

These were the conditions when the Articles of Confederation which had been proposed in 1776 were adopted by the last of the thirteen States. Our fathers now had a compact of thirteen truly sovereign States. It was termed "a perpetual union," but it was soon discovered to be a union only in name. It was otherwise termed "a firm league of friendship," but the attribute of firmness was illusory, and the friendship inconstant and deceptive.

A contemporary writer in the American Museum, whose name I have not been able to ascertain, portrays with swift strokes this offspring of "State Sovereignty run mad." "By this social compact," he wrote, "the United States in Congress have exclusive power for the following purposes, without being able to execute any of them: They may make and conclude treaties, but can only recommend the observance of them. They may appoint ambassadors, but can not defray even the expense of their tables. They may borrow money in their own name on the faith of the Union, but cannot pay a dollar. They may coin money, but they cannot purchase an ounce of bullion. They may make war, and determine what number of

troops are necessary, but cannot raise a single soldier. In short, they may declare everything, but do nothing."

Despite the debility and worthlessness of the Articles of Confederation, Washington, on the eighth anniversary of the Lexington fight, was enabled to announce to his brave but neglected army the immediate prospect of certain peace. This was declared on the 3d of September, 1785, and it is interesting to note that Great Britain refused to recognize the independence of the United States, but in the treaty itself recognized the independence of each of the States, naming them. It may be that the British diplomats, with an eye to the future, recalled the fable in Aesop, in which we are told how the woodsman, who could not break the fagots when bound together, found it an easy task to break the separate twigs. This was indeed in consonance with the policy of the European powers. Vergennes, the minister of our ally, the French king, had informed his representative in Philadelphia that the United States would never have real and respectable strength except by their unity. With sinister diplomacy, he continued: "But it is for themselves alone to make these reflections. We have no right to present them for their consideration, and we have no interest whatever to see America play the part of a power * * * Nothing can be more conformable to our political interest than separate acts by which each State shall ratify the treaties concluded with France."

Despite the victory of our armies, at no period of our history did the future seem more hopeless. Afterwards Washington declared, "It was for a

long time doubtful whether we were to survive as an independent republic, or decline from our Federal dignity into insignificant withered fragments of empire." The truth of this declaration was patent at the time to every patriot. New Jersey had flatly refused to pay her quota for the support of the Government. Georgia was proceeding to open independent negotiations for a treaty with the Spanish governor at New Orleans. The individual States began to disintegrate. The people of the western portion of North Carolina, now Tennessee, and the border counties of Virginia west of the Blue Ridge began to organize the new State of Frankland. About the same time one Daniel Shay, an ex-captain of the Continental Army, organized a rebellion in Massachusetts, which was strong enough to defy the officers of the law, and was not overawed until the militia of the State were called out. "What, gracious God, is man," exclaimed Washington, "that there should be such inconsistency and perfidiousness in his conduct? It was but the other day that we were shedding our blood to obtain the constitutions under which we now live, constitutions of our own choice and making, and now we are unsheathing the sword to overturn them." The moral status of the country was as disheartening as its political condition. This period of practical separation between the States has been described by a gifted American writer of recent times as a season of "faction, jealousy and discord, infirmity of purpose, feebleness in action, unblushing dishonesty in finance, black ingratitude against the army, and the rapid acquisition of an ever-growing contempt on the part of the rest of mankind."

Then it was that Washington and his noble compatriots determined that the Union should be created. He knew that by those envious natures who "hate the excellence they cannot reach" he would be suspected of designing his own advancement, but the lofty soul of Washington could not be moved by unworthy considerations. Jefferson, Wythe, and Pendleton were engaged at this time in codifying the laws of his State, and to these great Virginians Washington wrote his sense of the country's opportunity and of its danger. "The present temper of the States," he declared, "is friendly to the establishment of a lasting Union; the moment should be improved; if suffered to pass away, it may fall a prey to our own follies and disputes." He continues, "It would give me great concern, should it be thought of me that I am desirous of enlarging the powers of Congress unnecessarily, as I declare to God my only aim is the general good."

How the serene wisdom of this great man utilized and directed the constructive genius and fervid energy of Hamilton, the clear-sighted and effective patriotism of Madison, the broad juridical learning of Jay, is familiar history. But so quietly was his commanding influence exerted, that he was termed the "silent watchman." Finally the convention was called for Annapolis for September 17, 1786, but only twelve delegates assembled. No State south of Virginia and no State in New England sent delegates. In no wise disheartened, the friends of the Union called another convention to be held at Philadelphia on the 14th of the following May. All was now activity. Hamilton issued a persuasive and eloquent address. The

time for the convention was now at hand, and, writes a historian of those times, "When Virginia displayed the gilded roll of her delegates and showed the patriot commander at the head of the list, the whole country thrilled with joy."

The chairman of the Pennsylvania delegation was Benjamin Franklin, of whom it was said that his defection from King George had given that monarch more concern than that of any other subject; whose homely but charming philosophy had been as captivating to the beauties of the French court as to the savants of the Academy, and who, when more than eighty years of age, was declared to be "an ornament to human nature." Many of the older patriots of the Revolution were there. How it should thrill the true American, when he reflects that on motion of Benjamin Franklin, George Washington was called to the chair. There, too, sat Roger Sherman of Connecticut, the grandfather of those illustrious American statesmen and jurists, George F. Hoar and William M. Evarts. There too was James Madison, who brought to the mighty task that untiring industry, exquisite discretion, and masterful power, which made him twice the President of the Union he was laboring to create. It is animating to the patriot to reflect that the longest lived of the Convention, surviving to those days when partisan rage sought to nullify the acts of Congress, his last message to his countrymen, bedewed with the tears of the aged statesman, besought obedience to the laws of the Union in whose formation he had taken an immortal part. There also was that marvelous young man, of whom Webster proclaimed: "He smote the rock of the national resources, and

abundant streams of revenue gushed forth. He touched the dead corpse of the public credit, and it sprung upon its feet. The fabled birth of Minerva from the brain of Jove was hardly more sudden or more perfect than that of the financial system of the United States from the conceptions of Alexander Hamilton." Indeed, there was scarcely a man there whose name is not enshrined in the memory of his State, and many whose fame will be coextensive with American history itself. Some of the members had joined in the indignant resolutions of the Stamp Act Congress of 1765. Some had signed the fearless Declaration of Rights in 1774. Four had signed the Declaration of Independence eleven years before. Many were brilliant patriots of '76, who had proved their devotion to free government by their heroism in the Continental line. Eighteen belonged to that greatest of all Revolutionary bodies, the Continental Congress. Two had become Presidents of that body. Seven had been or were Governors of States. Twenty-eight had been members of Congress. And of the President, years thereafter, the father of our own Robert Edward Lee first uttered the immortal sentiment, "First in war, first in peace, and first in the hearts of his countrymen."

Every clause of the great instrument was minutely considered by them, deeply pondered, and debated with acumen and power. With such men divided opinions were inevitable. At one time it seemed that agreement was impossible. The dread of the changeful multitude threatened to paralyze all action, when Washington arose and uttered those memorable words which an eminent writer has declared "ought to be blazoned in letters of

gold, and posted on the wall of every American assembly that shall meet to nominate a candidate, or declare a policy, or pass a law, so long as the weakness of human nature shall endure." "It is too probable," said the patriot sage, "that no plan we propose will be adopted. Perhaps another dreadful conflict is yet to be sustained. If to please the people we offer what we ourselves disapprove, how can we afterwards defend our work. Let us raise a standard to which the wise and honest repair. The event is in the hand of God."

At last the work was finished. The Father of his Country was the first to sign, and it is related that while the last members were appending their signatures to this Maxima Charta of human liberty, the venerable Franklin, looking toward the President's chair, upon the back of which was painted a half sun, remarked to those standing near him that painters found it difficult in their art to distinguish between a rising and a setting sun, and then with deep feeling he added: "Often and often in the course of this session and in the vicissitudes of my hopes and fears as to the issue, I have looked at that behind the President without being able to tell whether it was rising or setting, but now I have the happiness to know it is a rising and not a setting sun." Oh, my countrymen, what benign and prophetic truth was this! The Constitution was soon to be adopted by the people of the United States, with its preamble to the plan of our national salvation: "We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings

of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

With what abounding fruition of individual happiness and national power have these lofty purposes been accomplished! The more perfect Union has endured for more than a century. From its flaming defences, the fierce assaults of foreign foes have recoiled in disaster and dismay. Its foundations, assailed by the telluric shocks of the mightiest of all revolutions, were found immovable. Imperishable it stands; the rock of our safety and comfort; to the toiling millions, the sure defence, the life-giving shelter of freedom and of hope,—

> "As some tall cliff that lifts its awful form,
> Swells from the vale, and midway leaves the storm,—
> Though round its breast the rolling clouds are spread,
> Eternal sunshine settles on its head."

And the Constitution has established justice. The citizens of every State have been afforded tribunals in every State where without regard to local prejudice their rights may be ascertained and enforced. In those courts the citizens of foreign lands have equal rights with our own people. They have jurisdiction to enforce personal rights and the rights accorded by treaty. Every salutary principle of Magna Charta, every safeguard of liberty achieved by the English-speaking race, as "freedom broadens slowly down from precedent to precedent," is by the Constitution impregnably established in the jurisprudence of our country. Justice is established even against the action of the States, aye and of the United States. However

furious may be the local outcry, no State can pass any law violating the obligations of a contract, or by suspending remedies delay the creditor in the just assertion of his claim. Nor may a debt be discharged at the will of the debtor, or by the misguided action of a State, in depreciated currency. The money of the Union is essential for the discharge of every obligation, and the money of the Union is good the world around.

And in our country alone are the principles of constitutional justice established as superior to the expressed will of sovereignty itself. The highest court in England may not impugn the effectiveness and force of an act of Parliament, however abhorrent it may be to liberty and right; but neither the government of a State, nor of the United States, even by unanimous vote and with the approval of the Executive, can deprive the humblest citizen of the land of a constitutional right secured to him by that Union, which alone among the governments of the earth, in the language of a great American jurist, "extends the judicial protection of personal rights not only against the rulers of the people, but against the representatives of the people." And it has established justice for the soldiers and sailors of the Republic. Never to the patriot, however humble, who on the fiery crest of battle has braved the death hail in defence of the flag, shall come the hovel of the pauper, and the potter's field.

And our Union has insured domestic tranquillity. One soldier is found sufficient to maintain the tranquillity of twenty-eight hundred American citizens, with abundant leisure to look after the Indian tribes and perform all of the ornamental functions

obligatory upon the brave defenders of our country.

And need I argue in the presence of recent events that the Constitution of the Union is ample to provide for the common defence? Now, while the world is astounded at the gigantic forces which our country is wielding by day and by night in a thousand arsenals, ship yards, forges, factories, and foundries, to maintain unsullied the honor of the stars and stripes. Now, while the pictured dome of the Capitol is ringing with the acclamations of our representatives as they vote millions for the common defence. The colossal military power of this country is beyond estimation. It does not reside alone in those majestic squadrons, "still as the breeze and awful as the storm," which patrol the coast or ride at anchor on the tepid wave of the tropics, nor in the Regular Army, gallant and skilful as it is, but in the stalwart arms and brave hearts of twelve millions of American freemen, men of that imperial race who have on a thousand fields demonstrated that, in defence of his country, the citizen soldier of America has been rarely equalled and never surpassed.

The Constitution has promoted the general welfare. Our country extends from the coral islands of Florida, tempered by the Gulf Stream, that "wandering summer of the seas," to the hyperborean shores of Alaska, a half degree of longitude to the westward of Hawaii, and within a mile and a half of the dominion of the Czar. It has been compacted into a homogeneous people of seventy millions, animated by a common patriotism, jealous of the national honor, thrilling with the consciousness of our country's glory, and with

devotion to our country's flag. In all that imperial domain there is no element of power which may not be exerted for the protection of the whole people or of any part against a foreign foe. The revenues from the most opulent are applied without question to the defence of the poorest community. The genius, military or civic, the experience, the learning of the foremost man in any State is available for the people of all the Union. The interests of every State, whether they may involve the fur traffic of the Northwest, the fisheries of New England, the cattle of Texas, or the fruits of Florida, are considered and protected by suitable laws and treaties made by the best statesmanship of the entire nation. The commerce of the States, with each other and with foreign countries, is regulated by the concentrated intelligence and wisdom of all. The welfare of no American State is at the mercy of a neighboring State. There is no custom-house on any interior boundary of the forty-five American States. From degradation and repudiation, the credit of the United States, on the adoption of the Constitution, sprang in an instant to the highest plane of solvency and repute. Sturdy immigrants by hundreds, thousands, millions, hastened to enjoy the blessings of a land of liberty, equality, and law. The savage wilderness was speedily converted into sweet fields arrayed in the living green of grain, and Indian corn, or the snowy luxuriance of cotton. Great cities like St. Louis, Cincinnati, Louisville and Minneapolis, and your own incalculable Chicago, arose as if they were the creations of the genii of Aladdin's lamp and ring. Nor was this development simply agricultural or numerical. The mechanical arts have

been cultivated with unprecedented aptitude. It has been declared by the *London Times* that "the New Englander is an inventive animal; his brain has a bias that way. He mechanizes as the old Greeks sculptured, as the Romans legislated, as the Venetians painted, and the modern Italian sings. American inventive genius has developed more that is new and practical than all Europe combined."

This admission of the "Thunderer" is true. The grain crops on the pampas of the Argentine Republic, the steppes of Russia, and the valley of the Nile are harvested with the reaping machines of McCormick, and McCormick is an American inventor. The *London Times* itself is printed on the lightning press of Richard Hoe, and Hoe is an American inventor. The incandescent lights of Edison shed their brilliant lustre on the dome of St. Paul's, the facade of the Acropolis, the pilasters of the Pantheon and the minarets of St. Sophia. The whole continent of Europe is a network of telegraph lines, and "electricity," said the philosopher Faraday, "is Franklin's"; and to the inventive genius of Samuel Findlay Morse and the enterprise of Cyrus W. Field, Americans both, the world is indebted for its practical application to telegraphy. I trust that I am honored by the presence of some venerable patriot who under the Constitution has enjoyed the blessings of liberty for three score years and ten, and if such an one is here, he may reflect that in his time American railways have grown from not a mile to one hundred and eighty-five thousand miles, from not one ton of freight to an annual transportation of seven hundred millions of tons, from not one passenger to

five hundred millions of passengers annually, from not a dollar of capital to ten thousand million dollars of capital, so that the most inaccessible can be reached from the most distant station, in our three million square miles, more rapidly than Washington could have journeyed from the shores of the Potomac to the banks of the Hudson. Phenomenal as is our material development, the cultivation of the mind has surpassed it. Nowhere has such liberal provision been made for popular education, either by public taxation or by the contributions of philanthropists, such as Stephen Girard, John D. Rockefeller, Leland Stanford, Asa Packer, Johns Hopkins, Paul Tulane, James Ritch, James G. Clark, Cornelius Vanderbilt, James Lick, A. J. Drexel, Peter Cooper and Ezra Cornell. And to George Peabody we should not omit to ascribe the honor of having done the greatest good to the greatest number of beneficiaries. In hundreds of schools of our once desolate South his name

> "Is as the precious ointment shed
> On consecrated Aaron's head."

There are more colleges in the United States where a respectable academical education may be obtained than in any nation of the earth, not excepting Germany, with its universities, polytechnic institutions, and five hundred gymnasia. Nor have the efforts of the American people to obtain education been fruitless. Many Americans of broadest enlightenment and widest renown sprung from homes of poverty where learning was unknown. The father of Abraham Lincoln could not read until he was taught by his second wife, and the

fame of the son will be mentioned by nations yet unborn in accents yet unknown.

An English satirist once asked, "Who reads an American book?" We may now reply that American books in every department of literature and science are favorites in the libraries of the world. Our historians like Bancroft, Prescott, and Motley; our poets like Whittier, Longfellow, and Bryant; our novelists like Irving, Cooper, and Hawthorne; our lexicographers like Webster and Joseph Emerson Worcester have captivated, charmed, and instructed mankind the world around. An American woman wrote a book in 1852, of which four stereotyped editions of four hundred thousand copies were sold in Boston, and a London publisher, we are told, had to employ a thousand printers to furnish volumes sufficient to meet the demand. Nay, more, a book by an American author in a simple style, lucid and fascinating, rivalling that of Davilla or of Thucydides, has obtained a sale greater than that of any other work by any other writer, living or dead, a book written with heroic constancy, while its author in every moment of its creation was suffering the anguish of approaching dissolution. To the nobility of soul and the military genius of that author, our Union owes its power to fulfil that other and greatest purpose of the Constitution, "to secure the blessings of liberty to ourselves and to our posterity." I need not say that I mean the "Personal Memoirs" of Ulysses S. Grant.

For the life of a mighty nation, thus conceived by the patriots and sages of the Revolution, and nurtured by the providence of God, this American fought. It was for this at Shiloh, with the river

at the back of his torn and bleeding battalions, he scorned the thought of retreat. It was for this at Vicksburg he braved the miasma of the swamp and the roar of the crevasse, until the levees along the river were but cities of the dead. For this he dared to cross the turbid flood of the Mississippi, and, like Caesar at the siege of Alesia, interposed his command between two armies. For this he stormed the face of Missionary Ridge. For this he led the massy column of his brave soldiery into the gloomy shades of the Wilderness, and entered upon the year of battles, when the rifles were never voiceless and the dread artillery was scarcely hushed. To this silent man, who in his youth and simple young manhood had been evolving powers of which he himself was not aware, was accorded in the second year of his leadership the grandest military command under government the world has ever known. That his armies were tremendous is true, but other generals trained like him, with equal opportunities, had equal armies, and they had all failed, even as the sons of the ancient Hebrews passed before the Prophet of God; and Samuel said, "The Lord hath not chosen thee." But when David came, the Lord saith, "Arise, anoint him, for this is he." And had Grant not foemen worthy of his steel? Who so ready as he to record his lofty estimate of their constancy and their valor? The sincerity of their conviction he did not question. Here in his imperial state, where the nobility of your manhood has given "bond in stone and everduring brass to guard and to immortalize" the ashes of the Confederate dead; here where lived your great commander who in his last recorded words declared that they deemed their

principles dearer than life itself, it needs not that I should laud the manhood or defend the sincerity of Southern men. No affront would he permit, when they stacked their arms, to the worn and wasted but heroic veterans of Lee. The Great Commander was in battle their sternest foe, their gentlest victor in defeat. "They are our countrymen now," he said to his gallant soldiers before the last wreath of smoke had floated away from the firing-lines at Appomattox. How he kept his soldierly word to General Robert Edward Lee when the parole of that great soldier was threatened will forever endear his memory to Southern men. We are brethren now, shoulder to shoulder under the glory-bright ensign of our common country, and I thank God that, with the clear vision of the dying, the noble patriot whom we commemorate to-day lived to see this truth. In simple phrase and with infinite pathos he wrote: "I feel that we are on the eve of a new era, when there is to be great harmony between the Federals and the Confederates. I cannot stay to be a living witness to the correctness of this prophecy, but I feel it within me that it is to be so. The universal kind feeling expressed for me at a time when it was supposed that each day would prove my last seemed to me the beginning of the answer to 'Let us have peace.' "

With such emotions in his heart this great American died. And, my countrymen, his prophetic words were true. Now, in our country's need, we are a reunited people. His magnanimity to Southern people, his soldierly honor to his great adversary have found their reward in the devotion to his country of that other Lee, who amid the curses

and the treachery of the stealthy Spaniards, the pestilence among their victims, and the cruel massacre of our sleeping sailors, with consummate courage and manliness has maintained the honor of the Stars and Stripes. And here and now, in the gracious presence of the daughter of General Grant, I have her glad permission to announce to the people of their childhood home, that this day her son, the grandson of the hero Chieftain of the Union, has taken service as the officer and comrade of General Fitzhugh Lee, the nephew of Robert Edward Lee, the hero Chieftain of the Southern cause.

Far to the South, in the State of my birth and my love, in a park in beautiful Savannah, where soft winds from the Atlantic rustle the palms, swing the silver censers of the acacia, and disperse the fragrance of the magnolia and the rose, noble men and gentle women have reared a monument to the Confederate dead. On its face, taken from the grand poetry of Scripture, are these words:

> "Come from the four winds, O breath,
> And breathe upon these slain that they may live."

The prayer has been granted. They live, O, my countrymen. They live in millions of their gallant sons and kinsmen. They live and move and have their being as Americans because of the generosity of Grant, and the magnanimity of the country he loved and served. And now in this day of our country's need, under the Flag of our Fathers, "with not a star erased and not a stripe polluted," in even line with the veterans of the Union, and the noble manhood of the North, the ground shaking with their measured tread, the cries of the ene-

my drowned by the rebel yell, clearing the way with their flaming volleys, they will bear down upon our country's foe. Now the truth will be seen of all men, that the Union which Washington fostered, and Grant did so much to save, will be indeed perpetual, the greatest citadel of civil and religious liberty on earth, a glory to the most high God, and a blessing to humanity in all the years to come.

On the day of this address the first shot of the Spanish-American War was fired at Matanzas and the Galena Company of the Illinois National Guard was entraining for the front.

James Oglethorpe

FACING PAGE 109

JAMES EDWARD OGLETHORPE.*

Mr. President and Gentlemen of the Society:

The Sons of the Revolution have proud memories and a prouder mission. It is their purpose and duty to create, or maintain, a lively sense of the country's glory, a just pride in the achievements of its great men, and a fixed resolution in the minds of the people, and particularly the young—to advance the one by emulating the other. Of homogeneous blood, animated by sentiments inspired by the generous valor, the self-sacrificial patriotism, the meritorious services of those from whom we spring, we are inevitably devoted to the revival and advancement of genuine Americanism. That the time is opportune for the best and the most constant efforts of every member of this, and every kindred society, indeed, for the co-operation of every American citizen to this end may not be doubted. The work is educative. We point to the heroic men of the past as exemplars commanding the admiration, and worthy of the rivalry of our Country's patriotic youth. The monuments which adorn the streets and squares of this city are silent, but eloquent, testimonials to that enduring influence which the memories of the great exert upon the efforts and character of a people. They are equally eloquent of the ennobling patriotism of a

*Address at the Annual Banquet of the Georgia Society Sons of the Revolution, at Savannah, on the evening of the 5th day of February, 1894.

generous community. But, sir, there is here a vacant square, and to-night, at the suggestion of the honored President of our Society, I come to urge with all sincerity and all the ardor of my nature, that it is fitting, aye, it is demanded that the Sons of the Revolution and their friends should undertake the erection there of an enduring monument commemorative of the public virtue of that ranking general of the British Army who rejected the command of the forces sent for the subjugation of the American Colonies, comrade in arms of Marlborough and Eugene, compatriot of Chatham, friend of Berkeley, patron of Wesley, intimate of Johnson and Goldsmith, of Reynolds and Burke; James Edward Oglethorpe, who "driven by strong benevolence of soul" became the immortal founder of the city of Savannah and of the State of Georgia.

This illustrious man was the youngest son of Sir Theophilus Oglethorpe, of Godalming, in the County of Surry. His mother was Eleanor, daughter of Richard Wall, Esq., of Rogane, in Ireland. He was born on the 21st day of December, the year of the British Revolution, 1688. His parents were intensely Jacobite in politics, and so closely intimate with James the Second, that after the death of Sir Theophilus, Mrs. F. Shaftoe attempted to prove that the Pretender, who many good Protestants believed was furtively conveyed in a warming pan to the Palace of St. James to become the heir apparent of the Stuarts, was in reality the child of Sir Theophilus and Lady Oglethorpe.*

Sir Theophilus, then Colonel Oglethorpe, com-

*Life of the Duke of Marlborough, by Field Marshal Viscount Wolseley, K. P. 1st vol., p. 322.

manded the Royal Horse against the Duke of Monmouth at the bloody battle of Sedgemoor, where Lord Wolseley describes him as "careering uselessly over the country in search of the Rebel army."

The mother of General Oglethorpe Dean Swift describes as a "cunning devil," and Mrs. Shaftoe writes, "Let times go how it would, she could always make friends," and with more malevolence describes her as "whining upon the countrymen's wives with many whining ways to get the women to get their husbands to give their votes to Sir Theophilus Oglethorpe to be a member of Parliament, which they did."

At sixteen years of age the young Oglethorpe was a member of Corpus Christi College, Oxford, but he was not long to frequent with the Muses the classic shades along the Isis. In a little more than a year the Great Duke of Marlborough, whose occupation in those great days was to "beat the Frenchmen through and through," wrote to Oglethorpe's mother to offer the youth a commission in the Guards. At this time it was popularly sung in all England:

> "Malbrouk, the prince of commanders,
> Is gone to the war in Flanders;
> His fame is like Alexander's;
> But when will he come home?"

More than a hundred years afterwards, when Napoleon, at the head of the Imperial Guard, was crossing the Niemen to enter on the fatal Russian campaign, he was humming the same air. It was the period of England's greatest military glory. These were the days of Blenheim, of Ramillies, of Malplaquet, of Oudenarde, and the founder of

Georgia was soon brilliantly conspicuous among the veterans of Marlborough who won those famous fields. His fine figure, soldierly deportment, and intrepid courage soon attracted the notice of "Corporal John," and through the influence of the commander-in-chief and of the Duke of Argyle, he became the First Secretary, and afterwards the aide de camp of Prince Eugene. Of this great soldier Carlyle writes, "He was a bright little soul, with a flash in him as of heaven's own lightning." In one of his notes to an edition of Pope's writings Dr. Wharton declares that Prince Eugene always spoke of Oglethorpe in the highest terms. Belonging to the military family of this renowned general, the young officer took part in several successive campaigns against the enormous armies of the Turks. He not only acquired a skilful mastery of the profession of arms, but won the official acknowledgments of his Serene Highness, the most famous general of that warlike house whose descendants, with the proud declaration "Savoy cannot retreat," threw off foreign rule, and in this day are of the royal family of Italy.

At the battle of Peterwaradin, fought on the 5th of August, 1716, at the siege of Temeswaer, which capitulated after desperate resistance on the 4th of October of the same year, and at the even more famous siege of Belgrade, in the following year, and in other engagements, Oglethorpe won much renown. Belgrade was declared to be "a place of the last importance to the Imperialists and to the Turks; the bridle of all the adjoining country; the glorious trophy of the valor and conduct of his Serene Highness, Prince Eugene, and the bulwark, not of Germany only, but of all Christendom

on this side." Fifty-five years later, and after Oglethorpe's fightings were all over, Boswell and Dr. Johnson dined with him at his London home. During the repast Dr. Johnson said, "Pray, General, give us an account of the siege of Belgrade," upon which the General, pouring a little wine upon the table, described everything with a wet finger; "here we were, here were the Turks," etc. The conversation had turned on duelling, and Boswell had started the question whether it was consistent with moral duty. The brave old General, recounts the biographer, fired at this, and said with a lofty air, "Undoubtedly a man has a right to defend his honor." "The General told us," writes Boswell, "that when he was a very young man, I think only fifteen, serving under Prince Eugene of Savoy, he was sitting in company at table with the Prince of Wurtemberg. The Prince took up a glass of wine, and by a fillip made some of it fly in Oglethorpe's face. Here was a nice dilemma. To have challenged him instantly might have fixed a quarrelsome character upon the young soldier; to have taken no notice of it might have been considered as cowardice. Oglethorpe, therefore, keeping his eye upon the Prince and smiling all the time, as if he took what his Highness had done in jest, said, 'Mon Prince' (I forget the French words he used; the purport, however, was), 'that's a good joke; but we do it much better in England,' and threw a whole glass of wine in the Prince's face. An old general who sat by said, 'Il a bien fait, mon Prince, vous l'avez commence.' "

Peace having ensued after the fall of Belgrade, Oglethorpe was offered military rank in the German service, but concluding "that the profession of

a soldier in time of peace offered few opportunities for promotion, and none for distinction," he returned to England, and in the year 1722, succeeding, because of the death of his brother Lewis, to the inheritance of the family estate at Godalming, for thirty-two years he was successively returned to Parliament as a member for Haselmere. His parliamentary career was marked by energy. He spoke often and freely. He was never the tool of party, and always acted with intelligence and independence. He proposed and prompted many practical regulations for the benefit of trade. Of his remarks on the King's speech, made on the 12th of January, 1731, Smollett, in his History of England, recounts, "Mr. Oglethorpe, a gentleman of unblemished character, brave, generous, and humane, affirmed that many other things related more immediately to the honor and interest of the nation than did the guarantee of the pragmatic sanction," etc. It is interesting to observe that on a bill for encouraging the trade of the British sugar colonies, Oglethorpe gave expression to those enlarged and liberal views of colonial rights the disregard of which some forty years later brought on the American Revolution.

"In all cases," said he, "that come before this House, where there seems a clashing of interests, we ought to have no exclusive regard to the particular interest of any one country or set of people, but to the good of the whole. Our colonies are a part of our dominions. The people in them are our own people; and we ought to show an equal respect to all. If it should appear that our Plantations upon the continent of America are against that which is desired by the sugar colonies, we are

to presume that the granting thereof will be a prejudice to the trade or particular interests of our continental settlements. And, surely, the danger of hurting so considerable a part of our dominions,—a part which reaches from the 34th to the 46th degree of north latitude,—will, at least, incline us to be extremely cautious in what we are going about. If, therefore, it shall appear that the relieving our sugar colonies will do more harm to the *other* parts of our dominions, than it can do good to *them,* we must refuse it, and think of some other method of putting them upon an equal footing with their rivals in any part of trade."

Notwithstanding the varied and valuable services of his long parliamentary career, none of these will compare in its importance with that inquiry he instituted into the state of the jails in London, and particularly into the condition of those unfortunates who were held as prisoners for debt. His friend, Robert Castell, scholar and author, notwithstanding he had never had that distemper, was forced by an infamous tipstaff into a cell where the small-pox was raging. He died, leaving a large family of small children in distress. Stung and smitten with the outrage, "Oglethorpe resolved," said one of his biographers, "to leave the world at his own death a little purified of ancient crime and folly." He immediately brought the subject to the attention of the House of Commons, and he was made chairman of the committee to investigate the debtors' prisons. Three separate reports show how thoroughly and fearlessly this work was performed, and they show too the atrocities practiced in that day and time on the unfortunate. The

humanity of Oglethorpe inspired and merited the fine passage in Thompson's "Seasons":

> "And here, can I forget the generous band
> Who touched with human woe, redressive searched
> Into the horrors of the gloomy jail?
> Unpitied and unheard, where misery moans;
> Where sickness pines; where thirst and hunger burn,
> And poor misfortune feels the lash of vice."

Nor was the strong benevolence of the soul of the Founder of Georgia exhausted with this inquiry. He began to discuss and urge measures for the amelioration of the debtor class. By attractive and repeated statements he brought before the public the advantages of the American colonies as homes for these unfortunates. In 1717 the Proprietors of Carolina had made to one Sir Robert Montgomery, a Scottish baronet, a grant of all the lands lying between the Savannah and the Altamaha. It is probable that this noble son of Caledonia did not fully appreciate the magnificence of the grant, with which he proposed to form what he termed the "Margravate of Azalia" of which he and his descendants were to be the perpetual Margraves. He, however, declared it to be "the most amiable country of the universe." "Nature," he said, "has not blessed the world with any tract which can be preferable to it; paradise, with all her virgin beauties, may be modestly supposed at most but equal to its native excellencies. It lies in the same latitude with Palestine itself, that promised Canaan which was pointed out by God's own choice to bless the labors of a favorite people." Happily, perhaps, for the sturdy yeomanry who now dwell in the territory of this "Margravate," Sir Robert's grant expired by its own conditions.

In 1720 King George the First had caused a fort to be constructed at the mouth of the Altamaha. It was of no use, and was burned in 1729. About that time a Swiss, one Colonel Purry, settled with a colony of six hundred of his countrymen on the left bank of the Savannah, at a place called Purrysburg. It is hard to realize that St. Augustine, the stronghold of the Spanish dominion in North America, had even then been in existence one hundred and sixty-four years, and that the gold-loving Spaniards had been working mines of the precious metal in that enchanting country of North Georgia where the Chattahoochee rushes "down from the hills of Habersham, and out of the valleys of Hall." In the epigrammatic language of Macaulay, "The American dependencies of the Castilian crown still extended far to the North of Cancer, and far to the South of Capricorn." The fancy of Goldsmith has depicted in the "Deserted Village" the wilderness dangers with which nature had encountered the Georgia colonists:

> "Those matted woods where birds forget to sing,
> But silent bats in drowsy clusters cling;
> Those poisonous fields with rank luxuriance crown'd,
> Where the dark scorpion gathers death around;
> Where at each step the stranger fears to wake
> The rattling terrors of the vengeful snake:
> Where crouching tigers wait their hapless prey,
> And savage men more murderous still than they;
> While oft in whirls the mad tornado flies,
> Mingling the ravag'd landscape with the skies."

But neither the bats, nor the scorpions, nor the snakes, nor the tigers, nor the tornadoes, offered to the colonists the cruel danger, and constant alarm, occasioned by the unspeakable Spaniard. Menendez had cruelly put to death French settlers on the

St. John's, and affixed to their dead bodies the placard, "I do this not as to Frenchmen, but as to Lutherans." The spot is still called "Matanzas," which imports the massacre. Many a "Matanzas" is there in the American dominions once held by Spain. The daring Jean Ribault in turn hung the Spaniards. "I do this," he said in the placard affixed to the bodies of his victims, "not as to Spaniards, but as to murderers and assassins." "The presence of the Spaniard in Florida," writes a biographer of Oglethorpe, "was an intolerable thorn in the side of the South Carolina planter. There seemed to be no bounds to his insolence. He was always stirring up slaves to rebel; he enticed them over to Florida by the thousands, and there formed them into negro regiments, treating them well. He tampered with the Indian tribes. He claimed all the country as far north as the Savannah and beyond. The English, on the other hand, claimed all the country at least as far as the St. John's. Thus it was that a little more than the whole of the present State of Georgia was in dispute." To this environment, his standard emblazoned with the proud legend, "*non sibi sed aliis,*" "not for ourselves, but for others," did Oglethorpe come with the ancestors of men who are now in the sound of my voice. His was to be a military colony. Indeed, as soon as the colonists had been accepted in England, they were formed into little brigades, and were drilled daily by sergeants from the Royal Guard—an hereditary explanation for the military spirit which to this day pervades this warlike community. How the settlers came over on the Ann galley, how it was loaded with arms and munitions of war, with carpenters, bricklayers, farmers, and

seeds of all description, not forgetting ten tuns of Alderman Parson's best beer; how the navigator steered far to the southward by way of Madeira to take in five tuns of wine, which they did, and how cordially the colonists were welcomed by the South Carolinians; how the noble Tomochichi hastened from Yamacraw to welcome the great man, who was to become for the rest of his life his best and most valuable friend; how, in short, the province of Georgia grew to be a buffer State between the Carolinians and the Spaniards, is familiar to us all. The advent of Oglethorpe, and his beneficiaries, was to prove most comforting to the Carolinians. A London rhymer of the day expressed this pleasant and poetical forecast:

> "To Carolina be a Georgia joined:
> Then shall both colonies sure progress make,
> Endeared to either for the other's sake;
> Georgia shall Carolina's favor move,
> And Carolina bloom by Georgia's love."

Certain generous Carolinians came over with their slaves and did yeomen service for the comfort and settlement of Oglethorpe's company. One of these was a Mr. Saint Julian, whose name is yet borne by a street in Savannah. Boston has its "Milk" Street, the evolution of the path once at morn and eve traversed by the "milky mothers" of its herd. A noble thoroughfare in Savannah is termed "Bull." The taurine appellation is not, as the uninformed might deem, ascribable to the fact that the stately patriarch of Oglethorpe's herd may there have ambled forth in search of food and strange adventure. The veracities of history impel us to record that it was named in honor of a Dr. Bull, a generous Carolina friend. Through all the early development of the colony Oglethorpe was

the guide, philosopher, and friend of every colonist. His rude court-house occupied the precise site in the city of the United States court-house and post-office of this day. But the General had no house of his own. The hardy soldier dwelt in a tent under four pines then standing near the present City Hall. Afterward he charmed the Highlanders, who had settled at Darien, by wearing their costume, and sleeping in his plaid on the ground with them. Nearly a half century later Boswell and Dr. Johnson dined with him in London. "The General," said Boswell, "declaimed against luxury." Johnson.—"Depend upon it, sir, every state of society is as luxurious as it can be. Men always take the best they can get." Oglethorpe.—"But the best depends much upon ourselves; if we can be as well satisfied with plain things, we are in the wrong to accustom our palates to what is high-seasoned and expensive. What says Addison in his 'Cato,' speaking of the Numidian?

> "'Coarse are his meals, the fortune of the chase,
> Amid the running stream he slakes his thirst,
> Toils all the day, and at the approach of night,
> On the first friendly bank he throws him down,
> Or rests his head upon a rock till morn;
> And if the following day he chance to find
> A new repast, or an untasted spring,
> Blesses his stars, and thinks it luxury.'

Let us have *that* kind of luxury, sir, if you will." Oglethorpe believed in what we term "The simple life."

He returned to England, taking with him Tomochichi, Senauki, his wife, Toonakowski, their son, Hillispilli, the war captain, and other noted warriors. It soon became his duty to return to Savan-

nah, and with him came a large addition to the colonists, and two young men, whose names and whose work in another vocation will be as enduring as his. They were John and Charles Wesley, who were coming out as missionaries. "These are no tithe-pig parsons," said Oglethorpe to some of the gentlemen on board, who attempted to take liberties with the missionaries.

Another most valuable acquisition to the colony had been the Salzburgers. These interesting people had belonged to the Archbishopric of Salzburg, then the most eastern district of Bavaria. For many years they had been the object of most cruel persecution for conscience sake. They had been subjected to tortures of the most revolting kind. In 1620 the head of one of their pastors was nailed to his pulpit. In 1732 they were living on the northern slope of the Tyrol. "Their country," said Carlyle, "is celebrated for its airy beauty, rocky mountains, smooth, green valleys and swift, rushing streams." Salzburg is the archbishop city, and the Archbishop was one Firmian, "by secular qualities," said the same writer, "of the strict, lean character, sullen rather than wise, who had brought the orthodoxies with him in a rigid and very lean form." This Firmian demanded that the Salzburgers should give up their Bibles, but "doffing their slouch hats," writes Carlyle, "almost to mankind in general, they were entirely obstinate as to that matter of the Bible. 'Cannot, Your Reverence, must not, dare not,' and went to prison, and whithersoever ordered." And thus these poor people, than whom more harmless sons of Adam did not breathe the vital air, were driven from their homes. Within the hill of Salzburg, the Ger-

man legend hath it, and the simple German folk believe, sits the greatest Kaiser time has ever known,—Friedrich Barbarossa,—sits there at a marble table, with his elbow thereon, not dead, but only sleeping—indeed "sits winking," the peasants believe, only half sleeping—though his white beard streams down on the floor; and when his people are suffering wrong, and are driven devilward, the old Kaiser will arise, will set his shield aloft and his lance at rest, and on Roncalic fields again raise the shout of battle, and charge down on the enemies of the people he once ruled and loved. Woe to thee, lean Firmian, and thy law terriers, mongrels, whelps, and curs of low degree, had the good king Barbarossa had his slumbers broken by the cries of the ousted Salzburgers, the hoary old men, the women and the children, who in the rigor of winter were driven from their homes. But they were not unfriended. Vast numbers were carried to other portions of North Germany, and treated by the Prussian King, father of the great Frederick, with the utmost kindness. One of his noblemen, this rugged son of Thor hung offhand for cheating these poor exiles. "Come, ye poor Salzburgers, there are homes provided for you," his proclamation ran. By an earnest speech in the House of Commons Oglethorpe had offered them an asylum in Georgia. It turned out that forty-two of them, with their families, embarked upon the Main, sailed down the beautiful Rhine, reached Rotterdam, thence across the Channel to Dover, where they embarked on their long voyage to that new land beyond the broad Atlantic, where each man could worship God according to the dictates of his own conscience. Sermons they heard on the

text, "And every one that hath forsaken houses, or brethren, or sisters, or fathers, or mother, or wife, or children, or lands, for my name's sake, shall receive an hundred fold, and shall inherit everlasting life." And on another text, "Now the Lord hath said unto Abraham, get thee out of thy country, and from thy kindred, and from thy father's house, unto a land that I will show thee." "Excellent texts," wrote Carlyle, "well handled, let us hope—especially with brevity." Oglethorpe met them in Charleston, and took them to Savannah. As the vessel was moored near the landing-place, the inhabitants flocked down to the bank, and raised a cheering shout, which was responded with much gladness by the passengers on deck. Some of them were soon taken off in a boat, and led around to the town, part through the wood, and part through the newly laid out garden of the Trustees. "Meanwhile, a right good feast was prepared for them, and they were regaled with very fine, wholesome English beer, and as otherwise much love and friendliness was shown them by the inhabitants, and as the beautiful situation round about pleased them, they were in fine spirits, and their joy was consecrated by praise to God."

Their noble benefactor soon took them to their new home up the river. They named it "Ebenezer." How deep might have been their pious response to the inspiration of the old hymn, the melody of which yet rolls away in song worship, from the simple country churches and camp meetings, through the aisles of Georgia forests:

> "Here I'll raise mine Ebenezer,
> Hither by thy help, I'm come;
> And I hope by thy good pleasure,
> Safely to arrive at home."

These, however, were not the last nor the most effective recruits of our colonial settlers. Oglethorpe was essentially a fighting man. To oppose the renowned infantry of Spain he needed other fighting men, and perhaps nowhere on earth was the martial spirit stronger or more prevalent than in the romantic Highlands of Scotland. There, near Inverness, a Lieutenant Hugh Mackey was commissioned to bring together one hundred and ten freemen and servants, to which fifty women and children were allowed. The recruiting was swiftly done. Many of these brave men came from the Glen Straldean, about nine miles from Inverness, and were commanded by officers whose descendants still hold high positions of honor and trust in the United Kingdom and in Ireland, and in our own country. They brought with them their minister, the Reverend John McLeod. George Dunbar was their captain. On the north side of the Altamaha they built a village and named it "New Inverness." To the most intrepid service to their adopted country in colonial and revolutionary times, these gallant Scotchmen have superadded obedience to the scriptural injunction, "multiply and replenish the earth." Sometimes when the rolls of the juries and grand juries of the courts of the United States in south Georgia are called the answers of the McIntoshes, McNeils, McIntyres, McLains, Frazers, Hamiltons, Gordons, and Grahams, and many another famous Scottish name, might make one fancy that he is with Waverly watching Fergus McIver and his clansmen come down the glen, or hears the cry "Scotland forever" as the Scots Greys charged home at Waterloo, or "Highlanders, shoulder to shoulder," heard the

world around when the meteor flag of England has streamed above the press of battle.

"In 1738," writes Carlyle, "the ear of Jenkins re-emerged and set all England bellowing." Seven years before this most portentous of all ears had been sliced off by a Spanish captain, who insolently told the English sailor to show it to his king. "All this while," writes Carlyle, "Jenkins had been steadfastly navigating to and fro, steadfastly eating tough junk, with a whetting of rum; not thinking too much of past labors, yet privately always keeping his lost ear in cotton (with a kind of ursine piety, or other dumb feeling), no mortal now knows." Other causes of aggravation were not wanting, and the English people were ripe for war with Spain. Oglethorpe made it plain that he and his colonists would be on the firing-line. Oglethorpe was made a colonel, and was authorized to organize and command a regiment, which he did, largely at his own expense. He was made commander-in-chief of Georgia and South Carolina also. No more was he to sleep in his tent under the sighing pines above the Savannah. He had established a military post at Frederica, on St. Simons Island, and there Charles Wesley had gone with his patron. It does not appear that Oglethorpe ever claimed a foot of land in that State which his generosity and his daring established, but where the military road connecting Fort St. Simon with Frederica entered the wood, he built him a cottage. "Magnificent oaks," writes Charles Colcock Jones in his valuable History of Georgia,* "threw their protecting shadows above and around

*Houghton, Mifflin & Co.

this quiet pleasant abode. Fanned by delicious sea breezes, fragrant with the perfume of flowers, and vocal with the melody and song of birds. To the westward and in full view were the fortifications and the white houses of Frederica. Behind were rows of dense forest oak." A description even more enchanting of this locality, which is but a type of those storied islands which shelter the coast of Georgia from the thunderous waves of the Atlantic, is given by Mrs. Fanny Kemble Butler, the renowned actress, who in ante-bellum days for a time shared the heart and home of her husband, a rice planter there. "How can I describe to you the exquisite spring beauty that is now adorning these woods, the variety of the fresh born foliage, the fragrance of the sweet, wild perfumes that fill the air?" she writes. "Honeysuckles twine around every tree. The ground is covered with a low, white-blossomed shrub, more fragrant than the lilies of the valley. Every stump is like a classical altar to the sylvan gods, garlanded with flowers; every post, or stick, or slight stem, like a Bacchante's thyrsus, twined with wreathes of ivy and wild vine, waving in the tepid wind. Beautiful butterflies flicker like flying flowers among the bushes, and gorgeous birds, like winged jewels, dart from the boughs."

Notwithstanding these natural charms, the sweet soul of young Wesley might soon have sorrowed at the thought of Bishop Heber, "Where every prospect pleases, and only man is vile." "With what trembling," he said, "should I call this flock mine." "On Sunday morning," he said, "he preached with boldness, but Oglethorpe went off with the Indians to hunt buffalo." Then it was that one W. M. dis-

covered to the chaplain what he termed "the whole mystery of iniquity." Two damsels, who whipped their waiting-maids, talked with emphasis, and carried themselves with great freedom, claimed to be rivals in the affections of the forty-seven-year-old bachelor, the commander-in-chief. Wesley rapidly fell ill with excitement and anxiety. Then, too, the doctor would hunt on Sunday, and on the second Sunday atrociously fired off a gun during sermon time. Wesley had the doctor arrested for this early violation of the Georgia law which in this day denounces the offense of "disturbing a congregation lawfully assembled for divine service." When the doctor was arrested for shooting off his gun, one of the offending damsels aforesaid fired a gun also, and wished to be arrested, but was not. When Oglethorpe returned he was for a time very angry with Wesley, who was very disconsolate. "My congregation," wrote Wesley, "has dwindled to two Presbyterians and one Papist, and the sandflies are an infinite torment." John Wesley comes, but does not help matters. Probably both brothers, and the tale bearers, exaggerated that chivalric and courtly bearing toward the gentler sex, on the part of the commander-in-chief, which he had doubtless acquired in the gay camp of Marlborough, of which Thackeray in "Henry Esmond" gives such a lively account. Certain it is, according to Wesley himself, "Oglethorpe soon, in a most solemn manner, expressed to him his regret for his unkind usage," and to demonstrate his sincerity, embraced and kissed him with the most cordial affection. The reconciliation was not without a naïve diplomacy and a trace of ambiguity on the part of our hero. "I have expected death

for some days," he said to his chaplain. "The Spaniards intend to cut us off at a blow. I fall by my friends. But death is to me nothing. I could clear up all," he added, "but it matters not. You will soon see the reason of my actions." "I attended him," said Wesley, "to the scout boat, where he waited some minutes for his sword. They brought him the first and a second time a mourning sword. At last they gave him his own, which had been his father's. 'With this sword,' says he, 'I was never yet unsuccessful.' 'I hope, sir,' said I, 'you carry with you a better, even the sword of the Lord and of Gideon.' 'I hope so, too,' " he added. Wesley then said, "God be with you. Go forth, 'Christo duce, et auspice Christo.' " His last words to the people were, "God bless you all." The boat then carried him out of sight. Wesley interceded for him, that God would save him from death, would wash out all his sins, and prepare him before he took the sacrifice to himself. Oglethorpe never loved John Wesley as he loved Charles, but there is an old story to the effect that on suddenly meeting the Founder of Methodism, after long years, he took him by the hand and kissed him and treated him with the utmost deference and affection.

In sight of his home at Frederica the soldierly skill of Oglethorpe and the daring of his men made him victor in the most vital struggle which ever took place on the soil of the United States, between the English and the Latin-speaking races. "Half the world," writes Carlyle, "was hidden in embryo under it. The incalculable Yankee nation itself, the greatest phenomenon of these ages. This too, little as careless readers on either side of the sea

now know it, lay involved. Shall there be a Yankee nation? Shall the New World be of Spanish type? Shall it be English?" "Issues," wrote this strongest thinker of the nineteenth century, "which we may call immense."

From Oglethorpe's individual report, written while the smoke of battle had scarcely drifted seaward from the historic sands of St. Simon's Island, we gather the story of that epochal struggle. "The Spaniards came sailing up the coast in a fleet of more than fifty vessels. Their army amounted to 5,090 men." Against these Oglethorpe could oppose a few weak merchant vessels and armed boats and 652 men in all. "The Spaniards," he said, "after an obstinate engagement of four hours, in which they lost many men, passed all our batteries and shipping, and got out of shot from them, towards Frederica. Our guardship was disabled and sunk, one of our batteries blown up, also some of our men on board. I called a council of war at the head of the regiment, where it was unanimously resolved not to give Frederica to the enemy. On the 7th, a party of theirs marched toward the town. Our men had discovered them, and brought an account of their march, on which I advanced with a party of Indians, rangers, and the Highland company, ordering the regiment to follow, being resolved to engage them in the defiles of the woods, before they could get out and form in the open ground. I charged them at the head of our Indians, Highlandmen, and rangers, and God was pleased to give us such success, that we entirely routed the first party, took one captain prisoner, and killed another, and pursued them two miles to an open meadow or savannah, upon the

edge of which I posted three platoons of the regiment and the company of Highland foot, so as to be covered by the woods from the enemy, who were obliged to pass through the meadow under our fire. This disposition was very fortunate. Captain Antonio Barba and two other captains, with one hundred grenadiers and two hundred foot, besides Indians and negroes, advanced from the Spanish navy toward the Savannah, and fired with great spirit, but not seeing our men in the woods, none of their shot took effect, but ours did." Generally, the Spaniards fired so much at random that the fields were strewn with the balls from their muskets. Their losses in killed, wounded, and prisoners was estimated at five hundred. The loss in Oglethorpe's detachment was very inconsiderable. To this day the scene of the action thus described is denominated the "Bloody Marsh." The Spaniards, now completely demoralized, retired to Oglethorpe's half-destroyed fort, but by a stratagem a few days thereafter they were expelled therefrom, took to their ships, and never returned. It seems almost incredible that an army of nearly five thousand Spanish troops, with complete control of the sea, should have been defeated and expelled from the colony, by a force of between six and seven hundred men. Said the renowned Whitfield, "The deliverance of Georgia from the Spaniards is such that it may not be paralleled, but by some instances out of the Old Testament. Certain it is that this battle, though well-nigh forgotten, is one of the most glorious and decisive in the annals of our country. It determined that North America should be left to the exploitation of the Anglo-Saxon, the Celtic, and the Teutonic races. Had success at-

tended the Spaniards, they would have advanced on the more northern settlements." General Oglethorpe received from the Governors of New York, New Jersey, Pennsylvania, Maryland, Virginia, and North Carolina, special letters, thanking him for the invaluable services he had rendered to the British-American provinces, congratulating him on his success, the great renown he had acquired, and expressing "their gratitude to the Supreme Governor of Nations for placing the affairs of the colonies under the direction of a general, so well qualified for the important trust."

The permanency and safety of the colony secured, Oglethorpe in 1743 left Georgia to return no more. He repaired to his ancestral domain in England, and was there welcomed by the plaudits of the good and great of every party. Of him Alexander Pope had exclaimed:

> "Thy great example shall thro ages shine,
> A favorite theme with poet and divine,
> To all unborn thy merits shall proclaim,
> And add new honors to thy deathless name."

On his return to England, with the usual fate of men who have served mankind well, Oglethorpe had to encounter detraction, one Colonel Cook, who had been under his command, being the detractor; but a court martial of general officers pronounced all the charges groundless, false and malicious, and at their request the King expelled Cook from the service. The father of Dr. Oliver Wendell Holmes declared that his character now "appeared in resplendent light."

In 1744, in September of that year, Oglethorpe was married, and for the first time. He was now fifty-six years of age. His bride was Elizabeth

Wright, the daughter and heiress of Sir Nathan Wright, of Cranham Hall. It is significant that as early as 1728, another Wesley, in persuasive verse, had exhorted Oglethorpe to marry:

> "'Tis single, 'tis imperfect light,
> The world, from worth unwedded, shares;
> He only shines completely bright,
> Who leaves his virtues to his heirs.
>
> With joy his summons I attend,
> And fly with speed away;
> Let but the patriot condescend
> To fix his marriage day."

His marriage was a happy one, and a friend of the family, writing to the *Gentleman's Magazine,* after Mrs. Oglethorpe's death, gently observes that "to her magnanimity and prudence, on an occasion of much difficulty, it was owing that the evening of their lives was tranquil and pleasant."

He commanded a division of the British Army to repel the invasion of Prince Charlie in 1745. His military career ended with that campaign and with a quarrel with the Duke of Cumberland, "the butcher of Culloden," who treated him most unjustly. Oglethorpe was again exonerated by his brother officers, with the approval of the King, but he never held military command again. It is a most interesting fact that General Lachlan MacIntosh, who was one of the foremost men in the siege of Savannah in 1778, had been prevented by Oglethorpe's kindly admonition from leaving Georgia to join the Pretender. Oglethorpe was now a very old man. The noble veteran had ever been a favorite with the ladies. His graceful manners and charming gifts as a conversationalist and *raconteur* were most fascinating to that appreciа-

tive sex even in his extreme old age. In a letter to her sister in 1784, Hannah Moore wrote: "I have got a new admirer; it is the famous General Oglethorpe, perhaps the most remarkable man of his time. He was foster brother to the Pretender; and is much above ninety years old, the finest figure you ever saw. He perfectly realizes all my ideas of Nestor. His literature is great; his knowledge of the world extensive; and his faculties as bright as ever. He is one of the three persons still living who were mentioned by Pope; Lord Mansfield and Lord Marchmont were the other two. He was the intimate friend of Southern, the tragic poet, and all the wits of that time. He is perhaps the oldest man of a Gentleman living. I went to see him the other day, and he would have entertained me by repeating passages from Sir Eldred. He is quite a *preux chevalier,* heroic, romantic, and full of the old gallantry." Mr. Bancroft must have had this passage in mind, when he afterwards wrote of the Founder of Georgia: "In a commercial period, a monarchist in the state, and friendly to the church, he seemed even in youth like the relic of a more chivalrous century. His life was prolonged to near five score; and even in the last year of it he was extolled as 'the finest figure ever seen,' the impersonation of venerable age; his faculties were bright, his eye undimmed; heroic, romantic, and full of the old gallantry, he was like the sound of the lyre, as it still vibrates after the spirit that sweeps its strings has passed away."

His long life had been epochal. Its youth was marked by great events. It was an age of incomparable mental activity. Peter the Great, barbarian and giant, laid the foundation of that semi-

Asiatic power of whose people Napoleon in after years declared, "Scratch a Russian and you find a Tartar." Oglethorpe took part in the gigantic wars succeeding the English Revolution. The meteoric career of Charles XII of Sweden, who was but two years older, was ended by a shot through the brain at the siege of Friedrikshall, when Oglethorpe was thirty. It was the age when from the shores of Lake Leman, Voltaire was sending forth those excruciating messages which at times, in the words of Macaulay, "were used to vindicate justice, humanity and toleration, the principles of sound philosophy, and the principles of free government," but at others "to crush and torture enemies, worthy only of silent disdain, and to destroy the last solace of earthly misery, and the last restraint on earthly power." It was the age of the last of the great kings, Frederick of Prussia. When this illustrious monarch was born, on the 14th of January, 1712, Oglethorpe was sixteen years old, and when Frederick died in 1786, not only had Georgia grown to be a State, but the independence of all America had been for three years established. In literature he connected the age of Addison, Pope and Swift with the age of Goldsmith and Johnson; in forensic oratory the age of Somers with the age of Erskine; in constructive statesmanship the age of Halifax and Burnet with that of Alexander Hamilton and Thomas Jefferson. He was born before the Declaration of Rights, and died nineteen years after the Declaration of Independence. Had he lived four years longer he would have connected the reign of William of Orange with the Presidency of George Washington. The Duke of Marlborough, from whom he obtained his first commis-

sion, was now dead for sixty years. Prince Eugene, with whom he had served in the famous campaigns with the Turks, had been dead for fifty years. The grandchildren of his contemporaries were now old men. His own grand-nephew was a general officer in France. He had been an intimate associate with the greatest Englishmen of the eighteenth century. Most of these were now dead. Oglethorpe, when he met John Adams, was ninety-seven years of age, and was to live four months longer. Samuel Johnson had died in 1784 at the age of seventy-four; Oglethorpe, who was then ninety-six, relished life still and had more than seven months to live. He was seen and sketched while reading at the sale of Dr. Johnson's books, and Samuel Rogers, who was then a boy of twenty-two, used to tell how he looked: "Very, very old, and his skin altogether like parchment; the youngsters whispered with awe that in youth he had shot snipe in Conduit Street, near the corner of Bond." Well might it be said of him, in the beautiful verse of Dr. Holmes:

> "The mossy marbles rest
> On the lips he has pressed
> In their bloom,
> And the names he loved to hear
> Have been carved for many a year
> On the tomb."

Of this great man, to whom religious freedom and the English race are probably indebted for existence as dominant forces upon the American continent, no adequate memorial is preserved. To me he is one of the most interesting and ennobling characters of whom the annals of time give an account. He did not live for himself, but for others.

It has been the unvarying custom of all nations who possessed a worthy past or hopeful future, to illumine the minds and evolve the patriotism of their young men, by the storied marble and enduring bronze which commemorate the virtues of their heroes, their benefactors, their statesmen, and their philosophers. The wooded heights of Mount Hymettus cast their shadows on countless statues, chiseled by the genius of Grecian sculpture, perpetuating for the youth of Athens the great who lived and died for the City of the Violet Crown. On the rock, hallowed by the foot of the patriot, when he sprang from the bark of Gessler, stands the statue of William Tell. In the dim religious light of the Cathedral in Innsbruck, the peasant of the Tyrol may drop the tear of piety and patriotism at the monumental shrine consecrated to the memory of Andrew Hoffer; and when the first light of the morning sun glorifies the white dome and the marble porticoes of the Capitol at Washington, with equal ray it casts on the placid bosom of the Potomac, the shadow of that towering monument erected by Americans to commemorate the love and veneration which will forever animate them for the Father of his Country. In the annals of the English-speaking race—glorious as they are, with the names of the illustrious, the patriotic and the good—there is none more deserving an imperishable monument than James Edward Oglethorpe.

OFFICIAL REPORT OF DON MANUEL MONTIANO, SPANISH COMMANDER OF THE EXPEDITION AGAINST GEORGIA IN 1742.

The following is a translation of the official report of Don Manuel Montiano, Governor of Florida and Commandant-General of the expedition against Georgia in 1742. It presents with much naïvete the Spanish view of the famous fight, and is of especial interest from the fact that it is published here for the first time in this country. The incapacity of the Spaniards high in authority at that time, when Spain still held the respect and awe of the other nations of Europe, is apparent. It may be said to mark the beginning of their national degeneracy, or at least its revelation to other nations:

"*General Archives of the Indies:*
"*Audience Chamber of Santo Domingo:*
"*Louisiana and Florida.*

"Letter of Don Manuel Montiano, Governor of Florida and Commandant-General of the expedition against the English established in Georgia and Carolina, reporting on the occurrences and results of that expedition.

"Florida, August 3, 1742.

"*Very Dear Sir:*

"I send to your Honor the enclosed information, so that your Honor may be pleased to place it in the hands of the Royal and Supreme Council of the Indies, that they may take notice of its contents.

"Your Honor will find me at your orders with an unchangeable and sure affection, wishing to exercise myself in any way that may be to the satisfaction of your Honor, and trusting that our Lord will guard your Honor for many happy years.

"St. Augustine, Florida, August 3, 1742.

"I kiss the hands of your Honor,

"Your most devoted servant,

(Signed) "DON MANUEL MONTIANO.

"To Senor Fernando Trivino.

"SIR—In a letter of October 31st of last year I was informed by Sr. Jose del Campillo, that your Majesty, having resolved to make up in Havana an army with which to harass Carolina and her dependencies, this order was communicated to me by order of your Majesty, the object being for me to give to the Lieutenant-General, Sr. Juan Francisco de Guemes and Horcasitas, Governor of Havana, all the information that I could obtain, helping to facilitate the most happy end of this Royal Disposition; and, having executed the same with all corresponding promptness, I was explicit in stating to said Lieutenant-General, Governor of Havana, that he might command me for any purpose that he might choose to use me in the service of your Majesty; consequently, on the 14th day of May he communicated to me by letter brought by an officer of that garrison in a small vessel, that my person had been selected for the command of the expedition that had been determined on, the letter containing particular commissions and advices conducive to the most advantageous service of your Majesty, and stating that the army was ready to

start, and notwithstanding the fact that in the secret Council of War that took place between myself and the naval and land officers of that fortified town, the Royal design and wishes of your Majesty were considered impracticable on account of the insufficient maritime strength of the fleet under the command of the Lieutenant-General, Don Rodrigo de Torres, it was decided in the meantime that it was necessary to undertake some operation against Georgia for the purpose of getting satisfaction in part for the insults and treachery attempted and committed by the actions of those Provinces, and on account of the indisputable rights of your Majesty to them.

"Said Lieutenant-General having sent ahead a convoy of ten small vessels, with some small force of militia convoyed by a galley, on the 6th day of June they met an English Coast Guard vessel of twenty-four cannon, that with her artillery, long boat and small boats, attacked some of the beforementioned small vessels, and the galley, not being able to help them all, they were in considerable danger, so much so that two of them found it necessary to run ashore, in one of which they killed a Lieutenant of Artillery and a Corporal and wounded a Lieutenant of Militia, and they (the English), having attempted to send a boat to take the grounded sloop, our troops that were then ashore began to fire on them to such effect that they compelled the men of the English vessel to ask for quarter, and an officer and eighteen sailors were taken prisoners.

"On the 15th of said month they happily arrived off this bar, conducted by Colonel Don Francisco Rubiani, and on account of their being short of

water and on account of the severe thunderstorms and strong winds, that cost us some damage, and because of the wrecking of a long boat in which were drowned a Chaplain and some sailors, I could not leave this Port until the 23d of the same month, and the wind having been on that day North East, I had to postpone my sailing until the first of July, on which day I sailed with all the vessels that composed the armament.

"I proceeded to Georgia, and, finding myself on the 2nd day in its vicinity, we were attacked from the South by a furious South East storm, that scattered us all about, without human remedy to avoid it. We remained scattered for many days, and having gathered together again the greatest part, with the exception of four small galleys, four Peraguas, two schooners, two long boats and one boat, we anchored on the 10th day in view of the Port of Gualquini,* where we remained without being able to advance to it on account of contrary winds, until the 16th day, on which we gloriously effected an entrance to the Port, without any losses more than five men against the land and sea forces following.

"At the entrance of the Port was a fort built of Earth† with grassy sides, with parapets of brick, in the shape of a horseshoe, which contained a mortar of bronze to throw bombs, and five Royal hand grenades, and in its vicinity was located a breastwork, with three cannon, which defended the entrance; at a distance of two musket shots and to the West was another square fort, with four

*St. Simon's Sound.
†Fort St. Simon's.

bastions built in the middle of the walls, constructed of fat timber and of earth, with a ditch around it six and a half feet in width and four feet deep. Upon the parapets ran pits of terraced casks, and sown with prickly pears, which covered the parapets, and on the interior was extended a row of palisades to prevent a surprise, in which were mounted seven cannon, three of which were eighteen-pounders, and six mortars and hand grenades, and between the first and second fortress they had raised breastworks, with five cannon; and to the West of those forts was another breastwork in circular form, for the purpose of inflicting injury with musket fire.

"Within the Port and between the distances of the described forts was a frigate of twenty-four cannon; to the East followed a schooner of fourteen guns; after that was a sloop of ten guns, and next to that there were in line eight sloops and schooners well equipped with men, who were employed in the handling of muskets for defending the entrance, but, notwithstanding these, we possessed ourselves of the Port and anchored at about 5 in the afternoon.

"Immediately I ordered all the troops to land, allowing the enemy no chance to regain strength from the discouragement to which our victory had brought them, and we did this, happily, without opposition, and on the break of next morning I started marching, all of us resolved to advance against the first fort, having previously ordered a few Indians to advance to watch the condition and movements of our enemy, and they having returned with the news of not having found any one, the Major-General, Don Antonio de Arredondo, ad-

vanced to ascertain this for himself, and for further certainty I ordered two companies of Grenadiers* to advance for the purpose of reconnoitering more exactly and determining for themselves if that was a movement of the retiring enemy, and it having been confirmed, I continued my march up to their fortifications, which I immediately occupied, leaving the necessary guards and placing some pickets at places that appeared to be paths or openings in the woods, for the purpose of stopping any inroad that they may have intended to carry out.

"The Indians and Grenadiers brought with them two prisoners, who confirmed the running away of General Oglethorpe to the town of Frederica, distant about two leagues from the Gualquini forts, and, while I could have followed to his retreat, I did not think it prudent to do so until I could be fully acquainted with the roads and lands through which I had to march—intelligently—to which end I thought it convenient to go to Frederica Town by two sides at one time. I sent the Captain of the Pickets of this Garrison, Don Sebastian Sanchez, as a man who had been at that place, with fifty men, to reconnoiter the roads leading to the dock-yard (careening place), where appeared to be a suitable place for the landing of our artillery; at the same time I sent by the road that goes direct to Frederica the Captain of the Mountain Militia, Don Nicolas Hernandez, with twenty-five men from his troops and forty Indians, to make an examination of it, and, it happening that Don Sebastian Sanchez mistook the road that he was to

*This was a regiment of Cuban negroes raised in Havana—probably the first negro soldiers ever in service in this country.

travel and meeting with Don Nicolas Hernandez, both continued in one body to the town, in the vicinity of which they were attacked by the English troops and Indians on the edge of the woods where it was very thick, which accident was the cause of much unavoidable confusion, in which we suffered the loss of two Captains and eleven soldiers taken prisoners, ten wounded and twelve killed, and, having been advised of what had taken place, I ordered three companies of Grenadiers forward to succor our troops and to secure their retreat, but before the Grenadiers had arrived at the place where the former were attacked, they were also attacked in another ambush, surrounded by a marsh,* where there was no other road than for the one man at a time, and the Captain of the Grenadiers, knowing that they could not do any better than to sacrifice the troops, they continued to fight with renewed courage, as they could not see who was shooting at them, nor did the ground allow any movement of the troops, they resolved to make a retreat in the best possible order, having lost Don Miguel Bucareli and six officers killed.

"The Captain of the Mountain Militia, Don Nicolas Hernandez, taking advantage of the little precaution taken to tie him up by the two soldiers in charge of him, unfastened himself, and they, having seen this action, attempted to tie him up better by the arms, but at this moment, without giving them time to do it, as a brave and courageous man he threw himself on one of the two, taking his sword from him and killing him, and then killed the other one, thus freeing himself and re-

*Bloody Marsh.

turning to our camp four days after his escape. This Captain and some of his men, being from the mountains and raised in the mountains, were so tired out in the woods that they believed they were going to lose their lives before finding the road.

"With this information, and that brought by the Captain of Grenadiers and our Indians, they saying positively that the woods were impassable and full of marshes and ponds, and considering in the meantime the representations made by the Minister of the Royal Treasury, Don Antonio de la Atora, remarking the probable exhaustion of the provisions and that they had to arrange the necessary ones for the retreat, and that there were no more (provisions) than would barely last to the end of August, and being of no less consideration the stormy months of August and September, the maritime forces that were then in Carolina superior to ours that we learned from the statements of the prisoners taken were daily expected by General Oglethorpe, and that with our delays originated by the storms, the finding of the galley and the small convoy, and having maintained ourselves on its course, it could with some foundation be of the mind to attack us, and had time enough to get prepared for it and to obtain the proper necessaries, the great need of the thirteen small vessels that had not come back to us, among which were four Galliots, some troops and all the Sappers, without the troops and the said small boats any operation by land was impracticable, and also by the rivers to a distance of little more than two leagues, and considering lastly the especial instructions from the Lieutenant-General, Don Juan Francisco de Guemes and Horcasitas, to the very important end

of securing the retreat of the troops on account of the important need that we had of them in the fortified towns of Havana and Florida, I convoked a Council of War of the Commandants and highest officers of the army, laying before them all the reasons and motives that impelled me to call them together. I asked them to express their judgment on what was necessary to be done in the situation in which we were placed, and they said they were of the opinion that there was no better way than to reconnoiter the river that goes up to Frederica Town and see if there was a place where the troops and artillery could land for the purpose of attacking the Fort and Frederica Town, which proceedings could be carried into effect while the vessels were supplying themselves with water, but they had to bear in mind that even if there was a favorable place to land, we could not engage ourselves in any siege that would require more than six days, considering the news given us that there were not sufficient provisions to last longer than the end of August, calling for economy; all these things were of such gravity that they obliged us to think of nothing else than to retreat to our fortified town, thus avoiding the danger that, with the delay, was threatening us, and in consequence of these opinions the Engineer of Ordnance, Don Pedro Ruiz de Olano, passed with the Galley and two Galliots, to reconnoiter as suggested, and he proceeded up to within rifle shot of Frederica without finding a place appropriate for landing the troops on account of all the shore of the River Sienga and Zacatel* being of soft or sinking ground, and only

*The south branch of the Altamaha River, flowing to the west of St. Simon's Island to St. Simon's Sound.

within a cannon shot he thought he could see a clear place, on which he thought the troops could be landed, but considering that with such known danger of exposing our troops to a great loss and principally not having been able to determine if there was any battery, intrenchments or breastworks there or not, I did not find it convenient to decide myself to engage in an operation so evidently hazardous. Notwithstanding this, I suspended my determination until I could call a Council of War principally because at break of this day a deserter arrived at our camp and declared that General Oglethorpe had marched all night with five hundred men to surprise us before daylight, and taking into consideration the instructions received from the State, and the strength of Oglethorpe, said to consist of one thousand men, one-half of whom were taken from his own regiment and the rest consisting of Country people and Indians, that the town of Frederica had a battery looking to the river, with a small artillery of eighteen-pounders, with mortars and bombs and Royal Grenades; that on the shores of the river near the town there were breastworks where he could place his men under protection to oppose our landing, and on the other hand was another cannon with which it was not difficult to penetrate our vessels. He had built a battery of mortars, garrisoned with some troops, and added that they were depending on the thickness of the woods and the marshes of the Island for their defense. He also declared that he (Oglethorpe) was waiting for aid of men and vessels, and that those of Carolina could not be very long in arriving, as well as those of Virginia and Philadelphia, on account of his hav-

ing dispatched couriers to all parts on account of the fear he had, which was caused by the finding of the Galley and small convoy of vessels at Cape Canaveral, this having been confirmed by having seen our armament for such a length of time on this coast.

"A few hours after the deserter arrived and while getting ready to form the second Council of War, the advance guards of the Navy and the look-out on the mastheads of the ships informed us that there were arriving into Port three square-rigged ships, a one-masted schooner and a sloop. This information compelled me to suspend the Council of War and only take counsel from the Colonel, Don Francisco Rubiani, and from the Lieutenant-Colonel, Don Antonio Salgado, and from the Major-General, Don Antonio Arredondo, who were of the opinion that we had to place all our attention on the retreat, as there was a good probability that Oglethorpe would attack us by land as well as with his ships by water, and therefore I ordered that all the troops should pass to the Island over the other side,* thus giving time to our ships to take provisions and be relieved and ready for their defense, and that the smaller vessels in the meantime, while I was marching with the troops by land, should enter by the River Ballenas† and wait for me on the bar of the same name, where I wanted to take ship and go to take and demolish Fort St. Andrews,‡ and having

*Jekyl Island.

†St. Andrew's Sound, between Cumberland and Jekyl Islands.

‡On Cumberland Island.

put this plan into effect, I found it empty, with one four-pound cannon, three swivel guns and some war stores, and a number of horses, which were killed.

"From here to act quickly I ordered to land, while the vessels were finishing their arriving, the small vessels, with the provisions needed, and two hundred men to occupy Fort San Pedro,* which the previous night fired on the four Galliots, long boats and Peraguas, which had been separated from us by the storm and were now coming in to be incorporated with us, but finding myself without provisions because the vessels that were carrying them were sailing on the outside in the direction of Florida, I thought it more advisable to prefer the transport of the troops to this fortified town as quickly as possible, rather than stopping without provisions; therefore I ordered the vessels to sail by the Bar of Ballenas, and I, with the four Galliots, long boats and Peraguas, kept on the inside of the river to reconnoiter said Fort of San Pedro, as it may be important later on, and having done so, notwithstanding the fire from it, to which I ordered the four Galliots to answer, I continued my trip, arriving as far as the River St. John, whence by land I arrived at this place on the 1st instant, where I found that all the troops that shipped on the vessels that came by the outside had arrived.

"During the days that I was camping at Gualquini, notwithstanding the lack of Sappers, I managed to demolish and level off the forts and batteries by using the troops and militia in detach-

*At mouth of St. Mary's River, just below St. Mary's Town.

ments, to ship the artillery of mortars and war stores that were found, to burn all the farm-houses, which were something like thirty, and destroying the freshly sown fields, and the last day we finished with the rest of the town, which consisted of seventy houses on seven streets, without having left any vestige or indication of there having been any people there. We executed the same with the reserve ships of two sloops, which were fitted, adding them to the armament of the Navy, and of the man-of-war that we took the same night that we took the Fort; profiting by the darkness and a thunderstorm, it escaped from us, notwithstanding the taking of the necessary steps by Don Antonio de Castenada to prevent her from escaping.

"I noticed that the damage done to the English will amount to from 250,000 to 300,000 Pesos.

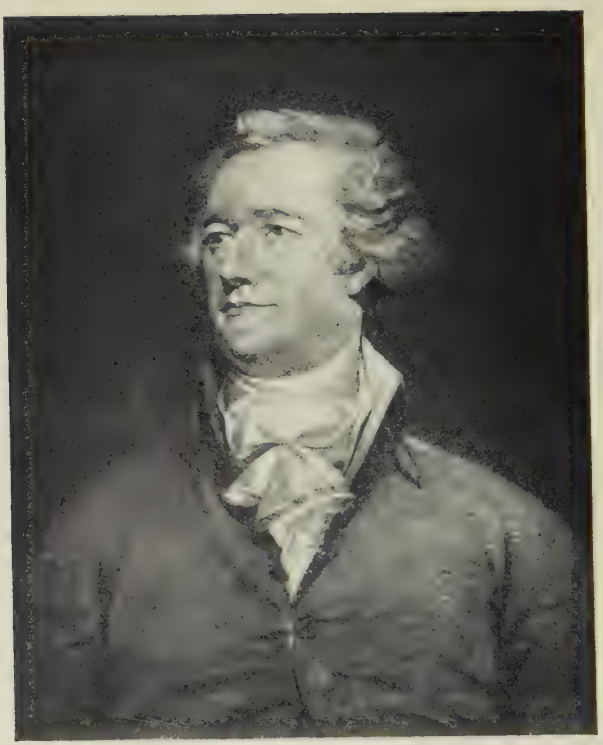
"The same day that I marched by land to the Island of Vejeces, the enemy's ships left the coast with the shore wind that was blowing at that time, and with the same wind ours were able to sail, the intention of Don Antonio de Castenada, Commandant of the Army, and with my sanction, being to attack them, but he could not find them and sailed for Havana.

"All the high and low officers of the Regulars and Militia, Don Antonio de Castenada, and the Marine Volunteers, have given proofs of special zeal and love for the Royal Service of Your Majesty, particularly Colonel Don Francisco Rubiani, the Lieutenant-Colonel, Don Antonio Salgado, and the Second Engineer, Don Antonio de Arredondo, who has acted as Major-General with indefatigability, all of whom I recommend to the high honors of Your Majesty.

"I do not know, Sire, if my conduct will deserve the Royal Approval of Your Majesty, with the understanding that all my vigilance has been directed to carry out the confidence in me invested, without other idea of reward than the ruination of the enemies of the Crown and the honor and glory of the arms of Your Majesty, which could have made great progress if the Omnipotent One that disposes of all things should not have shortened the plans that I had premeditated, to send three Galliots, under command of Lieutenant of the Navy Don Adrian Canteini, to the St. Simon's River and to the River Ballenas, commanded by the officer of the Navy, Don Francisco Pineda, to cut off the communications of the enemy and to obstruct the succor that could come to them from the North.

"In consequence of the instructions of the Lieutenant-General, Don Juan Francisco de Guemes and Horcasitas, notwithstanding this, I expect from the Royal Magnanimity of Your Majesty that it will be Your pleasure to approve my actions, and that I will obtain the satisfaction and honors of Your Majesty, which Catholic Person I pray God to guard with many happy years, and whom all the Christian world needs.

"St. Augustine, Florida, 3rd August, 1742.
(Signed) "Sr. Don Manuel de Montiano."



Alexander Hamilton

FACING PAGE 151

ALEXANDER HAMILTON*

"Man's sociality of nature," writes Carlyle, "evinces itself, in spite of all that can be said, with abundant evidence by this one fact, were there no other: the unspeakable delight he takes in Biography. It is written, 'The proper study of mankind is man'; to which study, let us candidly admit, he, by true or by false methods, applies himself, nothing loth. Man is perennially interesting to man; nay, if we look strictly to it, there is nothing else interesting."

These thoughts of this profound thinker are indisputably true, when the man we contemplate is the Greek *Anax Andron,* a leader of men. Such an one is the topic for our consideration this evening.

On the island of St. Nevis in the West Indies, the 11th of January, 1757, Alexander Hamilton was born. Many great men have been precocious children. The astonishing precocity of Hamilton rivaled the growth of those tropical flowers perfuming the zephyrs that caressed the soft tresses of the little child. We find him when twelve years old a clerk in a counting-room, and in the familiar letter to his friend Edward Stephens, at that tender age it is discovered that he is already the possessor of a vocabulary well nigh Johnsonian. "I con-

*First of the series of lectures on the Storrs Foundation, delivered before the Law Department of Yale University, at New Haven, Connecticut, May, 1906.

temn," he writes, "the grovelling condition of a clerk or the like, to which my fortune condemns me, and would willingly risk my life, though not my character, to exalt my station. I am confident, Ned, that my youth excludes me from any hopes of immediate preferment, nor do I desire it, but I mean to prepare the way for futurity." So marked was his capacity at this time, that by friends or relatives he was entrusted with the sole management of a mercantile business of importance, and it cannot be doubted that the familiarity he thus acquired with business methods, and accounting, had the most important influence, when it devolved upon him to organize the Treasury, and to utilize the untouched resources of our country for the establishment of national credit. Indeed, I have long been convinced that no single accomplishment is of more practical value to the lawyer or statesman, than a precise knowledge of accounting and the methods of successful business men.

The genius of this remarkable youth was soon appreciated by those who were concerned in his welfare. By a judicious liberality, for which they will deserve the gratitude of generations yet unborn, they made provision for his education. In his fifteenth year he left St. Nevis and arrived in Boston in October, 1772. He was advised to enter the grammar school at Elizabethtown, and at the end of the year he entered King's, now Columbia College. There he had the assistance of a private tutor. He labored incessantly. In addition to his regular studies he indulged his natural inclination and made continual excursions into the domains of finance, government, and politics.

Hamilton was born twelve years after Jefferson.

Wellington and Napoleon were born in the same month. Of the latter conjunction "Providence," said Louis XVIII, "owed us that counterpoise."

While Hamilton was thus in the words of his boyish letter striving "to prepare for futurity," there came in his affairs that tide which leads on to fortune. It was the rising tide of the American Revolution. The lad had been born in an English dependency. While it is probable that he had listened to the declamations of the Boston patriots, he was now in New York where the Tories were in control. It is characteristic of the man, as he declares himself, that he had formed strong prejudices on the Ministerial side, until he became convinced by the superior force of the arguments in favor of the Colonial cause. On the 6th of July, 1774, a great open air meeting was held under the auspices of the patriot leaders. Hamilton was in attendance listening to the speakers.

In the summer of the same year, perhaps in the same month, on the other side of the Atlantic, another youngster of Scottish antecedents, clothed in the regimentals of the Scots Royals, strolled into an English court at the assizes of a country town where Lord Mansfield was sitting. The Chief Justice, noticing the uniform, invited the young officer to a seat on the bench, briefly stated the principal points of the case, and offered other gratifying civilities. The subaltern listened with the liveliest interest. The counsel were among the leaders of the circuit, but it occurred to the military visitor in the course of the argument how much more clearly and forcibly *he* could have presented certain points and urged them on the minds of the jury. This incident became the inception

of the surpassing career in advocacy of Lord Thomas Erskine, who after the lapse of four generations, comprising the Augustan age of our profession, is still *facile princeps* among the advocates of the English speaking bar.

Like Erskine, Hamilton was not satisfied with the patriotic orators in the "Fields." Conscious of his own powers, the student pressed through the crowd to the platform and in a moment stood before the people. An accomplished biographer states that the populace stared at the audacious boy, and then nature asserted itself and his words flowed unchecked. Thrilled with the cogency and power of the young patriot's appeal, his vast audience whispered one to the other the significant words, "It is a collegian, it is a collegian."

He took no step backward. But two years previously George the Third had exclaimed, "Junius is known and will write no more." This proved to be true. But the compositions of that master of style had been indelibly impressed upon those who spoke and wrote the English tongue. The written disputations of the day were expressed in pamphlets, or after the fashion of Junius, by essays addressed to the printer. Hamilton soon became a vigorous tractarian for the patriots. Two pamphlets he wrote; both were ascribed to men of distinguished ability, and when their authorship was disclosed the young writer was at once famous. But Hamilton had no purpose "to prepare for futurity" by the pen alone. He soon joined a volunteer corps. In addition to this, he almost immediately evinced a characteristic, essential then, and more essential now, to every leader of thought or action in our country—the detestation

and abhorrence of the mob. With the rule of the mob, the reign of the law and the lawyer is gone. A British line-of-battle ship, the *Asia,* in the harbor, had opened fire on the town. The Liberty Boys could not get at the ship, and rushed *en masse* to King's College to wreak their vengeance on a more convenient and perhaps less formidable object, Dr. Cooper, the Tory president of that seat of letters. But they found their leader Hamilton, and Troup, his lifelong friend, on the steps of the building ready to protect their preceptor. Hamilton proceeded to address the crowd and to denounce their lawless conduct. Dr. Cooper, who it seems did not hear or comprehend the nature of Hamilton's harangue, or who perhaps recalled the classic aphorism, *"Timeo Danaos et dona ferentes,"* from an upper story warned the mob not to be guided by such a madman as his pupil, and then prudently betook himself to flight.

When the New York convention ordered the organization of a battery of artillery, Hamilton sought the command. He was now but nineteen years of age, but a rigid technical examination disclosed his familiarity with that difficult arm, and he received the appointment. By the excellence of his drill he won the admiration of General Greene. This distinguished officer introduced the young artillerist to Washington, to whom subsequently he was to render services inestimable. At the disastrous battle of Long Island with great courage he aided to cover the retreat, and to save the patriot army. At White Plains he won further renown by the admirable manner in which he handled his guns. He volunteered to recover Fort Washington by storm. In the painful marching and

countermarching of the patriots through New Jersey he was ever present. He shared in the victory over the Hessians at Trenton, and at Princeton with his veteran command, now reduced to twenty-five gunners, he upheld his reputation as a brilliant and gallant artillerist.

His literary reputation had now become widely known. He now seemed to be far more valuable on the staff than in the line. This with his proven excellence in the profession of arms led, on March 1, 1777, to his promotion to the rank of lieutenant-colonel, when he was barely twenty years old. He was now appointed as one of Washington's aides. Henceforward and almost to the end of the Revolutionary struggle, in the words of his friend the gallant Laurens of South Carolina, he "held the pen of Junius for Washington's army."

I must not omit to mention that we find in Hamilton's life confirmation strong of that popular conviction, especially among the better half of humanity, that the greatest men are ever the most susceptible to the influence of feminine charms. When in 1779, Washington after Saratoga had sent his young officer to request reinforcements from General Horatio Gates, Hamilton had met at Albany an apparition altogether more agreeable than that doughty and self-satisfied warrior. This was Miss Elizabeth Schuyler. This charming woman was the daughter of the friend of Washington, the distinguished general of that name. The acquaintance was renewed in the spring of 1780 and ripened into an engagement. The marriage was not unreasonably delayed. Hamilton was now connected with one of those famous Dutch families, of a race whose indomit-

able courage reclaimed their beloved Fatherland from the waves of the North Sea, whose irresistible passion for civil and religious liberty had also expelled from its borders the merciless and intolerant bigots of a cruel and alien race. Our country owes much to the fighting strain of those brave Hollanders, and will doubtless continue, for some time to come, to profit from their passion for practical and effective statecraft, and their native instinct for the construction of works of irrigation, and the excavation of canals.

Time forbids that I should give further narrative of the military record of the young officer who became America's greatest constructive statesman. But the closing scene should not be forgotten by his patriotic young countrymen. It was at Yorktown. It had been determined by Washington to carry by assault two of the British redoubts from which had flamed an enfilading fire on the allied entrenchments. Two columns of attack were formed. The one a regiment of French grenadiers, which had for long borne the proud title "Auvergne without stain." The other was a detachment of Americans commanded by LaFayette, who had given the honor of leading the advance to his own aide-de-camp, Lieutenant-Colonel Gimat. This wounded the military pride of Hamilton, whose tour of duty it was. He instantly protested to Washington, who directed that he should, as was his right, command both columns of assault. At eight o'clock in the evening, when the rockets flared the signal, the forlorn hope instantly swarmed to the attack. The royal regiments of France waited for the sappers to remove the abatis, while Hamilton's veteran bush-fighters, in rough and

tumble style, pulled down the abatis themselves. First to mount was Hamilton himself. Placing one foot on the shoulder of a soldier who knelt on one knee for the purpose, sword in hand he sprang over the parapet. Instantly his veterans dashed headlong after him, and without firing a shot turned out the British with the bayonet's point. The gallant Frenchmen with much heavier loss were also successful.

It is interesting to reflect that this was Washington's as it was Hamilton's last battle. It was now a quarter of a century since the patriot commander had written to his brother after his first fight, "I heard the bullets whistle, and believe me, there is something charming in the sound." "He would not say so," said George the Second, "if he had been used to hear many." No bad judge of such matters, was this dapper little King George. Thackeray, in his charming lectures, tells us that he had a famous spirit of his own and fought like a Trojan. He called out his brother of Prussia with sword and pistol, and a duel was only prevented by the representations, made to the two, of the European laughter which would have been caused by such a transaction. "At Dettingen his horse ran away with him, and with difficulty was stopped from carrying him into the French lines. The King dismounted from the fiery quadruped, said bravely, '*Now I know I* shall not run away,' and placing himself at the head of the foot, drew his sword, brandishing it at the whole French army, and calling out to his own men to come on, in bad English, but with the most famous pluck and spirit."

On public festivals he always appeared in the hat and coat he wore on the famous day of

Oudenarde, and the people laughed, but kindly, at the odd old garment, "for bravery," wrote the kindly satirist, "never goes out of fashion."

It is probable that the contemporary monarchs of the House of Hanover always underestimated the fighting spirit of the great Virginian, or perhaps amid the smiles and cajolements of their fat and lean mistresses they did not trouble themselves to think of him at all; forgetting perhaps how his riflemen with terrible loss, desperately fighting from every tree and log, protected the shattered remnant of Braddock's army from massacre and torture. Surely, the Third George did not know the man who, riding to take command at Cambridge, met the courier, and heard the great news how fifteen hundred minute-men of New England, with Starke and Prescott, Warren and Putnam, had obeyed orders, stood their ground, reserved their fire, and in the presence of anxious thousands in Boston, the roaring flames of Charlestown, the thunders of the enemy's fleet, and the deadly fire of the crack regiments of the King, before their slender works were carried, had shot down a thousand and fifty-four, or one-third of the attacking column. The King did not hear the Virginian planter as those firm lips exclaimed, "The liberties of our country are safe." Long Island, White Plains, Trenton, Princeton, Brandywine, Monmouth, and other stricken fields, where the redcoats of King George and his own "ragged Continentals yielding not" had met in the shock of battle, were all now behind him. He was now at the fruition of his hopes, and to the last he maintained the intense, but calm, intrepidity in hours of extremest moment which has ever marked our great-

est military leaders. As Hamilton's command advanced to storm the redoubts, Washington had dismounted, and had taken his stand in the grand battery with Generals Knox and Lincoln and their staffs. As the columns swept on, he watched them through an embrasure. One of his aides suggested that his situation was very exposed. "If you think so," he coldly replied, "you are at liberty to step back." A musket-ball struck the cannon in the embrasure, rolled along it and fell at his feet. General Knox grasped his arm. "My dear General," exclaimed his friend, "we cannot spare you yet." "It is a spent ball," replied Washington quietly, "no harm is done." When all was over and the redoubts were taken, he drew a long breath, turned to Knox and said, "*The work is done and well done.*" Five days later the British army marched mournfully from their works with slow and solemn steps, and colors cased, their drums thumping out, and their fifes wailing an old-time air, entitled, "The World Turned Upside Down," and grounded their arms. The country gave way to transports of joy. Lord George Germaine was the first to carry the news to Lord North, the Prime Minister of King George, at his office in Downing Street. "And how did he take it," was inquired. "As he would have taken a ball in the breast," was the reply.

It is interesting to recall that at Yorktown Hamilton no longer belonged to Washington's military family. The incident which occasioned the separation had occurred on the 18th of the previous February. It is described by Hamilton himself in a letter to his father-in-law, General Schuyler. "An unexpected change," writes Hamilton, "has taken

place in my situation. I am no longer a member of the General's family. This information will surprise you, and the manner of the change will surprise you more. Two days ago the General and I passed each other on the stairs; he told me he wanted to speak to me. I answered I would wait on him immediately. I went below and delivered Mr. Tilghman a letter to be sent to the commissary, containing an order of a pressing and interesting nature. Returning to the General, I was stopped on the way by the Marquis de La-Fayette, and we conversed maybe about a minute on a matter of business. He can testify how impatient I was to get back, and that I left him in a manner which but for our intimacy would have been more than abrupt. Instead of finding the General, as is usual, in his room, I met him at the head of the stairs, where, accosting me in an angry tone, 'Colonel Hamilton,' said he, 'you have kept me waiting at the head of the stairs these ten minutes; I must tell you, sir, you treat me with disrespect.' I replied without petulancy, but with decision, 'I am not conscious of it, sir; but since you have thought it necessary to tell me so, we part.' 'Very well, sir,' said he, 'if it be your choice,' or something to this effect, and we separated. I sincerely believe my absence which gave so much umbrage did not last ten minutes."

The exquisite judgment and profound magnanimity of Washington was not ruffled by the punctilios of his young friend. An ordinary man would have resented Hamilton's immovable refusal to accept an accommodation. Notwithstanding this, Washington determined at once to retain in the service of the country that astonishing capacity,

"formed for all parts, and in all alike shining variously great." We have seen how just he was to Hamilton at Yorktown. The truth is the great Virginian loved him like a son. It is indeed probable that no man ever surpassed Hamilton in his power to gain the affectionate devotion of very great men. "He was evidently," said one of his most engaging biographers, "very attractive, and must have possessed a great charm of manners, address, and conversation, but the real secret was that he loved his friends and so they loved him. All his comrades on the staff and all the officers young and old who knew him, and were not hostile to Washington, loved him and were proud of his talents. The same was true of the young French officers with whom he was much thrown, on account of his perfect command of their language, a very rare accomplishment in the colonies. To these attributes we may ascribe that personal following in after years, which for culture, force of character, lofty ability, and devotion to his leadership, are surely unsurpassed in American political history."

It is incontestable that in the practical application of the science of government, the educative results of Hamilton's duties as military secretary were most potential. His persuasive and constructive powers were now to be trained for years in the salvation of an unorganized people, and the making of a nation. That Washington is himself entitled to the substantial credit for the enormous correspondence which had emanated from his headquarters during the war cannot be fairly denied. It was he who directed the movements of armies, who protested against the incapacity of

officers, native and alien, and who baffled the schemes of those vile and envious marplots who would detract from the just renown of every man who, through motives their infinitesimal natures cannot embrace, yet labor for the happiness of the people and the betterment of their times; who imparted to Congress an account of his necessities, and who as unceasingly urged upon that body the performance of its duty. Indeed, to the Continental Army, as to the Continental Congress, Washington's relation, when contrasted with that of other great generals in command, is at once isolated and unique.

A Caesar might rely with confidence upon those legions the thunder of whose tread was heard from the plains of Parthia to the mists of Caledonia. Cromwell, from a devout God-fearing and tyrant-hating people, had trained an army whose backs the brilliant Macaulay declares "no foeman had ever seen." This moved at the command of that imperial voice whose mandate at once arrested the depredations of the Lybian pirates and quenched the avenging fires of Rome. The Great Frederick might be driven to coin the silver chandeliers in his palaces in Berlin and Potsdam, but the last thaler of a united, devoted, and warlike people was at the command of the last of the great Kings. At Austerlitz or Jena the fierce enthusiasm of the French Revolution, the passion for military glory of the French people, and the wealth of the Empire were instantly responsive to Napoleon's order or decree. Behind the armies of Wellington were the constantly increasing wealth, and irresistible sea power of the British people. On his lines at Torres Vedras, or his formation at Salamanca

the cartridge-boxes of his troops might be refilled and their rations supplied as regularly as at London or Chatham. Of these essentials of successful war, Washington had little or nothing. Indeed, from the Declaration of Independence to the Treaty of Peace, the influence and constancy of Washington was the Government itself.

After Yorktown the country was at the period of its greatest debility. We were now living under the Articles of Confederation, which had gone into theoretical operation on the 1st of March, 1781. These were soon seen to be less effective than the undefined powers of the Continental Congress. Both Hamilton and Washington had foreseen their impotency. In his famous letter to Duane written the previous year, Hamilton had declared of this "Firm League of Friendship," as it was self-styled, "It is defective and requires to be altered." After this moderate criticism he adds: "It is neither fit for war nor peace. The idea of an uncontrollable sovereignty in each State will defeat the powers given to Congress and make our Union feeble and precarious." The unbroken testimony of men who lived in that day verifies the forecast of Washington's marvelous aide-de-camp.

I may add that the United States of America during this period had no Executive, and barring a "Prize Court of Appeals," as it was termed, which had no power or process to enforce its decrees; no judiciary, and not a dollar to pay a judge or juror. Finally that sole tribunal representing the judiciary of the United States, informed the moribund Congress, that its duties were completed, and the court might as well dissolve. How

far this report was ascribable to the fact that no sustentation was afforded the judges from the empty coffers of the Confederation, we have no precise information. The Congress, however, promptly replied to the effect that the public interests required that the judges should retain their jurisdiction and exercise their authority, but without any salaries. With amiable self-abnegation the judges then withdrew their resignations, and we may trust continued to survive. Perhaps Thomas Jefferson had this precedent in mind, when some years later he declared of the Federal judges, "few die and none resign."

The debility of the Government was daily more alarming. Finally the Congress of the Confederation, which had at least on one occasion depended upon the sprinting excellence of its membership to escape personal and condign chastisement at the hands of unpaid and mutinous troops, deemed it the part of discretion to silently and informally disband. The French Minister now wrote to his Government, "There is now in America no general government, neither President nor head of any one administrative department." In the mean time, Washington had performed his last public act under the Revolutionary government. This was his formal resignation as commander-in-chief of the American army. He bade farewell to his troops and broke up their encampment at Newburgh on the Hudson. He had, on the eighth anniversary of the Lexington fight, announced to his army the joyful prospect of a certain peace. It was now November. He had been concerned for several days with the British evacuation of New York, and at a tavern near Whitehall Ferry he gave an

affectionate farewell to his officers, grasping each silently by the hand. It was not until the 23d day of December that his resignation was delivered to Congress, and Mifflin, the president of that body, as he received the parchment, exclaimed: "You retire from the theater of action with the blessings of your fellow-citizens, but the glory of your virtues will not terminate with your military command; it will continue to animate remotest ages." The great man now retired to that colonial home on the romantic eminence where the placid tides of the Potomac lave its Virginia shore, and hard by the sacred spot where his ashes now repose, forever hallowed by the love and devotion of increasing millions of his grateful countrymen. But the charms of Mount Vernon could not banish from the mind of Washington the urgent necessities of his country. He saw John Adams, our first Minister to the Court of St. James, welcomed indeed by his first visitor, the noble and venerable Oglethorpe, the founder of our own State, but treated with surly and contemptuous indifference by George the Third, who publicly turned his back, and by the British ministry, who sent no ambassador in return. He knew that when the American commissioners attempted to negotiate a commercial treaty with Great Britain they were contemptuously asked whether they had credentials from the separate States. He knew that the public debt could not be paid or funded, that the interest even could not be met; that no taxes could be collected; that if there should be an attempt to coerce a State to pay its assessment, it meant inevitable civil war and disintegration; that the best securities rated at times as low as fifteen per cent; that at home and

abroad our country was disreputable; that Great Britain yet refused to surrender her Western posts, confessedly within the boundaries fixed by the Treaty of Peace; that Spain, who for long thwarted the recognition of our independence, and ever the insidious enemy of America, holding the mouth of the Mississippi, was striving to withdraw the allegiance of our people west of the Alleghenies; that the Atlantic coast from the Bay of Fundy to the River St. Mary was cut up between thirteen independent States, each with its own revenue laws and collection methods; that interstate tariffs were alienating the American commonwealths, and that Connecticut taxed Massachusetts imports higher than British. The General heard the plaints of his intrepid comrades, who had faltered not amid the floating ice of the Delaware, the Hessian volleys at Trenton, the agonies of cold and hunger at Valley Forge, the sweltering heat of Monmouth, who at last had stormed the British entrenchments at Yorktown, and now without pay or pensions had sorrowfully repaired to homes of penury and distress. Is it surprising, then, that the Father of his Country, and many who thought with him, determined that America should have a government worthy of the glories of its past, commensurate with the necessities of the hour, and sufficient for the exigencies of the future?

In the mean time, after Yorktown, Hamilton had resigned his commission, and had left the army to take up the study of law. More than a year before Yorktown, he had written to a member of Congress from New York: "We must at all events have a vigorous confederation, if we mean to succeed in the contest and be happy there-

after. Internal policies should be regulated by the legislatures. Congress should have complete sovereignty in all that relates to war, peace, trade, finance, foreign affairs, armies, fleets, fortifications, coining money, establishing banks, imposing a land tax, poll tax, duties on trade and the unoccupied lands." The foreknowledge of the evolution of our government by the young staff officer will seem to rival prophecy itself. This remarkable letter was written from his tent while the writer was surrounded by the ragged and hungry soldiers of Washington. From the same environment he wrote to Robert Morris discussing his scheme for a national bank. These incidents exhibit at once his indomitable love of work, and his irresistible disposition towards broad concerns of statecraft and national polity.

After a few months' preparation, Hamilton was admitted to the bar in the summer of 1782. Of course, he had little time for study, but in after years it was found that all the law he had acquired had been condensed in a brief manual in manuscript, which became serviceable to many others, who did not possess his original powers of logic and reasoning.

It does not appear that his profession was immediately productive. He had, indeed, the habit of charging very small fees. He was soon appointed receiver of continental taxes for the State of New York, and November, 1782, was elected to the decrepit Congress. At once, but with little hope, he grappled with the desperate condition of affairs. In vain did he attempt to secure legislation for duties on imports. In vain he struggled to prevent the disbandment of that gallant army,

described by LaFayette as the most patient to be found in the world. The pageant of State Sovereignty sent them home with nothing but their hangers and spontoons, their rifles and muskets. In vain he urged the organization of a regular force which might become the nucleus of future armies. When State Sovereignty was through with the National defense, the army of the United States was found to consist of eighty mercenaries.

It is not then surprising that Hamilton's disposition toward forceful and effective organic law was immensely strengthened. The inanition and imbecility of scarecrow government, tolerated by the selfishness, suspicion, and inertia of thirteen unconnected States, drove him to the side of Washington, as faithful, as devoted, and as indomitable as at Valley Forge and Trenton, at Monmouth and Yorktown.

Now for the first time, he takes active part in the formation of the Constitution. Seizing the occasion of the abortive convention at Annapolis, he drafts an appeal for a new convention, which throughout the country is read everywhere. Securing an election to the legislature of New York, with the utmost difficulty he induces the election of delegates to the Constitutional Convention of May 8, 1787. In that body he is the minority delegate from his State. There he contents himself with one great speech, which Gouverneur Morris declared the ablest and most impressive he ever heard. The synopsis of this great argument is preserved, and it sets forth those profound meditations upon the science of government which have been to him habitual from boyhood itself. In favor of strong government, it is far in advance

of the views of the convention, but it is as it is intended to be, highly educative. Certain of its principles, while startling to the convention then, to the American people of to-day are as familiar as household words. His colleagues, saturated with opposition, leaving the convention, he does not hesitate to sign the Constitution for New York.

To frame the Constitution was a difficult task, but to secure its adoption by the people is more difficult still. The story is familiar how he and Madison and Jay devoted their facile and lucid pens, their exquisite powers of argument and organization to the cause of the perpetual Union. Of Hamilton and Madison, who has been termed the "Father of the Constitution," it has been said that "the complement of two such minds was most auspicious for the country." They are both very young for such a mighty undertaking, but the serene wisdom of Washington, the silent watchman, curbs the fervid energy of the one and encourages the dispassionate, clear-sighted and persuasive powers of the other. In successive numbers the "Federalist" is published. Aside from the great decisions of John Marshall and the mighty judges who held with him, to this day, it is the best and most satisfactory exposition of the mischiefs the Constitution was intended to cure, the elastic and all-sufficient remedies which it affords. Nor is it without the proud elation of Americanism, we reflect, that when the victorious Princes of the great Teutonic race, intent on the formation of the German Empire, assembled in the Hall of Mirrors at Versailles, to the "Federalist" their jurisconsults turned, as to the most comprehensive treatise on the principles of federal government.

But the literary rank attained by Hamilton in these great papers, great as they were, does not afford such manifestation of astonishing power as his part in the debate in the New York convention. Here the opponents of the Constitution under the leadership of Clinton, Governor of the State, have forty-six out of sixty-five votes. The majority is led by Melancthon Smith, no mean debater himself. There also are Yates and Lansing, who had been Hamilton's colleagues in the constitutional convention. The minority of nineteen have for its leaders Hamilton, Livingston, and Jay. "Two-thirds of the convention and four-sevenths of the people are against us," Hamilton declares.

The work of the convention and every clause and paragraph of the Constitution is scrutinized and assailed, with all the bitterness a venomous and hypercritical majority can suggest. Hamilton himself is constantly assailed as if he, and not the Constitution, is the object of attack. The sessions of the constitutional convention had been secret, and Hamilton is familiar with every detail. He comes to the debate as from a rehearsal. When it is all over it is again seen, in the words of Washington at Yorktown, that "the work is done and well done." The opponents of the Constitution dare not come to a direct vote. This suits the Federalists, who know that time is working for them. Nine States have ratified, and presently comes the news that the Old Dominion, the State of Washington, had also assented. Perceiving their defeat, the opponents propose a long string of amendments and a conditional ratification. So brilliant is the reply of Hamilton to these measures, that Melancthon Smith himself confesses that

conditional ratification is absurd, and then admits that he has been convinced by Hamilton, and that he will vote for the Constitution. The Constitution has won.

The victory of Hamilton was epochal. As a parliamentary victory it has rarely been equalled. In open debate upon clearly marked party lines he has overcome and won over a hostile majority. Mr. Bancroft declares that as a debater he was the superior of William Pitt, the famous son of that more famous Pitt, the Earl of Chatham. We may well believe that he had little if any familiarity with the masterpieces of Greek and Roman orators and poets which afforded an incomparable training and equipment to such men as Pitt and Fox, Macaulay and Gladstone. Nor did he possess the musical and irresistible eloquence found in the native wood-notes wild of Patrick Henry. It could not be said of him, as Grattan said of Chatham, that he "resembled sometimes the thunder and sometimes the music of the spheres," but in crystal clearness he was unsurpassed. No man could misunderstand his meaning, and behind this there were qualities which touched the deepest springs of the human heart. Many eye-witnesses testified that Hamilton moved his audience to tears. It was the passionate fervor of his convictions, the profound consciousness of his audience that he paid them the high tribute of an appeal to the deepest and purest sources of their patriotism. Reasonable differences he dispelled by the illuminative processes of his mind. Immovable hostility he destroyed by the concentrated flame of reason's whitest heat.

When the new government is formed, and the

Department is created, he is at once appointed by Washington as the first Secretary of the Treasury. In ten days he is directed by the new Congress to prepare and report upon the public credit. That this involves his whole financial policy does not prevent that body from requesting him to report also full details for the raising, management, and collection of the revenue, for revenue cutters, for estimates of income and expenditure, for the temporary regulation of the currency, for navigation laws and the regulation of the coasting trade, for the proper management of the public lands, upon all claims against the Government, and for the purchase of West Point. With the utmost celerity the young Secretary disposes of all these matters, and, in addition, voluntarily suggests a scheme for a judicial system.

He obtains money for the immediate necessities of the Government, sometimes pledging his own credit, and then devises the vast financial machinery of the Treasury Department, and the system of accounting which in efficient principle survives to the present time.

The ineffaceable impression he makes is in the early days of our legislative history. In his first great report on the public credit he announces principles, which when observed have been rewarded with a national prosperity such as the world has never known, but when, for the hour, avoided, the punishment as swiftly comes in bankruptcy, disaster, panic, and dismay. His entire system is based upon the most scrupulous unvarying honor in the discharge of national obligations. In his own language he expresses it all, "to justify and preserve the confidence of the most enlightened

friends of good government; to promote the increasing respectability of the American name; to answer the calls of justice; to restore landed property to its due value; to cement more closely the union of the States; to add to their security against foreign attack; to establish public order on the basis of an upright and liberal policy—these are the great and invaluable ends to be secured by a proper and adequate provision for the support of public credit."

It is obviously impossible upon an occasion like this to discuss even the principal topics of those momentous concerns, to which Hamilton's original and constructive powers were successively devoted. It will suffice to say that his report on manufactures is the first, and by many believed to be the greatest, argument ever made in maintenance of the principle and the wisdom of protection of the manufactured products of the American people against injurious competition from other lands. It was instantly declared by Jefferson, his great rival, to be designed "to grasp for Congress control of all matters which they should deem for the public welfare and which were susceptible of the application of money." His second report urging the establishment of an excise tax is the basis of the internal revenue system. The national banking is Hamilton's. His great argument on a national bank, evoking for the first time the implied powers of the Constitution, hurriedly prepared amid the multitudinous and laborious duties of his station, will ever cause men to accord to him, among his other amazing powers, a high place in the front rank of the profession of the law. Here for the first time is discovered the clear, but seemingly unfathomed, depths of that well-spring of

national authority which has sustained the purposes of the nation to enact any and all laws, which may at home at once make effective the letter of the organic law, and advance the welfare of the American people, and abroad, to give to the just, righteous, and beneficial conclusions of American civilization, expressed by American administration, supported by the moral, and if need be the physical influence of the great Republic, the force and effect of international law.

It is true that this doctrine of Hamilton and his followers, to use the simile of Jefferson on another portentous occasion, was "like a fire bell in the night." To write the history of the resulting struggles over this basic principle of the national existence, as parties reeled and staggered in the conflicts of the forum or in the deadlier conflicts of the field, would be to write the history of the country since that time; but that Hamilton was right and eternally right will no longer admit of serious discussion. To deny it would be to sweep from the statute books the entire criminal jurisdiction of the United States courts. Blot from the American system the Hamiltonian doctrine of the Implied Powers, and the fame of our jurisprudence would wither and perish like Jonah's gourd. The public buildings which house our officials and protect our records, the forts and batteries on our boundaries, the friendly lights which guide the mariner, the granitic walls of the great locks on the Great Lakes, through whose portals float in safety a tonnage greater and more profitable than that which rides over the waves of ocean, the stupendous works at the mouth of the Mississippi, the incessant clanking of those gigantic engines now cutting an inter-oceanic path for the maritime

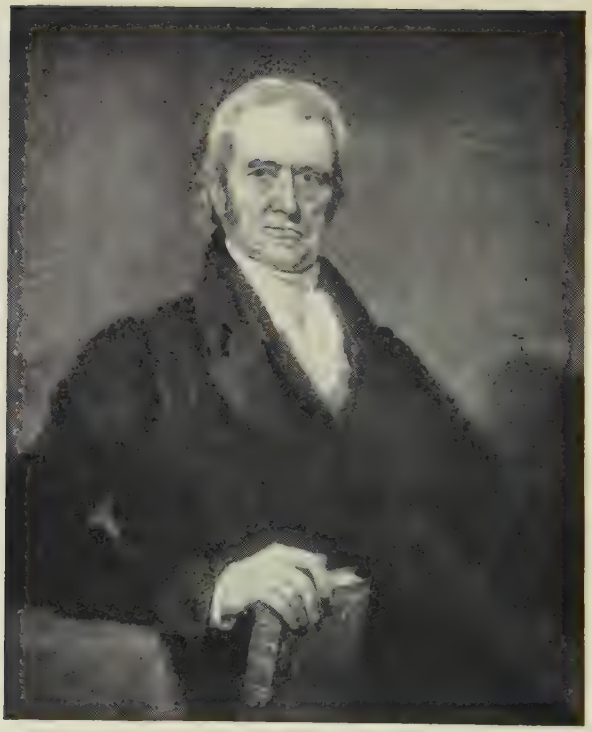
commerce of the world, these and much more like these would be but the successive monuments of an usurping government, and a lawless, and therefore a decadent people. Whether it be for an appropriation to maintain a range light, or to relieve the agonized people of a city whose homes have crumbled by the upheaval of the earthquake and the horrid sweep of the conflagration, all is traceable to that source of governmental authority forever residing in the implied powers of the Constitution. Hamilton had seen and known the condition of our country when it seemed, in the language of Washington, that it would resolve itself into the "withered fragments of empire." With his illustrious compatriots, he educated Patrick Henry's three millions "armed in the holy cause of liberty," and their children, to the knowledge that all liberty is worthless save liberty under the law, and effective law. He now saw the roseate blush of the nation's dawn. It enchanted his prescient and prophetic vision. Well might he have exclaimed as did old Sam Adam, when the shot of the embattled farmers rang out on that memorable April dawn so many years before, "Oh, what a glorious morning is this!" But, alas, that

> "Base envy that withers at another's joy,
> And hates the excellence it cannot reach,"

should so soon mark him for its own.

For two years more than a century, the mortal remains of this great man have rested in the churchyard of old Trinity. Millions of his countrymen, on crowded Broadway, annually pass in a few feet of the spot where his ashes repose. The small city where he labored, and lived, and died, has become one of the greatest on earth. Gigantic

structures devoted to the trade, commerce, transportation, and banking of the world, to which his genius imparted so much, tower above the graceful spires of the old church and cast their shadows over the sward where the forefathers of the city and of the nation sleep. Across the way in a short and narrow street the wealth of this and other nations is concentered for the service and for the advancement of every interest of a mighty people. The trains, laden with their human freight, thunder hard by the lonely grave, or rumble in subways far beneath its level. The beautiful river across which so many years ago he went to meet his mortal enemy, and his fate, sends forth year after year bread to feed nations, whose names the sleeper never heard, the manufactured necessities of life, of which the sleeper never dreamed. Not inappropriate, then, is his resting-place. Yet magnificent as are the environments of his grave, to this man who "thought continentally" there may be a vision nobler by far. It is in the happy homes of eighty millions of American people, a people whose domain stretches from the tropical frondage of Porto Rico to Alaska's frozen strand; from the granitic shores of Maine, to that wondrous archipelago of the Orient, where but lately the guns of our gallant squadron proclaimed that the genius of American civilization had come to stay. And if, as we fondly trust, the souls of those we love, who precede us, are permitted to welcome and to know those who follow, may it not be true, after all of life is over, that the young comrade and compatriot heard, as at Yorktown, the words, "The work is done and well done," from the majestic voice of the Father of his Country.



FACING PAGE 179

JOHN MARSHALL*

INTRODUCTORY ADDRESS

Of the Honorable Robert Falligant, Judge of the Superior Court of Chatham County, on the occasion of its delivery at Savannah, Ga.:

"LADIES AND GENTLEMEN:

"This occasion should be one of deep impress to every patriotic American. We are here to do homage to the character, ability, and illustrious services of the greatest of Chief Justices of the Supreme Court of the United States upon the centennial of his accession to that high and dignified office. The Bench and Bar of the country unite this day with the people all over the land in universal acclaim of Chief Justice John Marshall.

"A great English statesman said, 'The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man.' John Marshall became and was the great expounder of its dormant and far reaching powers. 'He helped to achieve independence by his sword in his youth, and in his manhood created a nation by his judicial pen.' Of him it has been felicitously said, 'Marshall found the Constitution paper and made it a power; he found it a skeleton and clothed it with flesh and blood.'

*Delivered on the Centenary of the accession of Chief Justice Marshall to the Supreme Court of the United States, in the District Court room, at Savannah, Georgia, February 4th, 1901; and subsequently, as one of the Lectures on the Storrs Foundation, at New Haven, Connecticut, May, 1906.

"Those familiar with our earlier history recall the intensity of party passion perhaps fiercer than at any other period. When the great constitutional decisions were pronounced, which are the foundation of Marshall's imperishable fame, another great Virginia patriot and thinker, Thomas Jefferson, read them with consternation. Jealous of the reserved rights of the States he wrote, 'The germ of the dissolution of our Federal Government is in the constitution of the Federal judiciary, an irresponsible party working like gravity by night and by day, gaining a little to-day and a little to-morrow and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government of all be consolidated into one.'

"The political history of our country was constantly agitated by conflicting constitutional interpretations. Some were settled by that august tribunal the Supreme Court, which Marshall regarded the final arbiter, but others remained burning questions until the fires were quenched in patriot blood and a final decision rendered in the awful arbitrament of the fiercest and most prolonged civil war the world has known.

"It was said of an ancient hero, 'Ulysses has gone upon his travels and there is none in Ithaca can bend his bow.'

"This was never true of America. In all crises of her history men have arisen to fill and illustrate the full measure of their country's greatness. Since the days of Marshall no justice of the Supreme Court has been regarded by the Bench and Bar of the country as more able than the late Associate Justice Samuel F. Miller. In the light of Jeffer-

son's prophetic words it is well to recall what Associate Justice Miller said on the occasion of the Centennial of the Constitution of the United States. Our country had but recently emerged from the supreme test of the most colossal and titanic struggle of history. As the mouthpiece of the Supreme Court he said:

" 'May it be long before such an awful lesson is again needed to decide upon disputed questions of constitutional law. It is not out of place to remark that while the pendulum of public opinion was swung with much force away from the extreme point of States-right doctrine, there may be danger of its reaching the extreme point on the other side. In my opinion the just and equal observance of the rights of the States and of the General Government, as defined by the present Constitution, is as necessary to the permanent prosperity of our country and to its existence for another century, as it has been for the one whose close we are now celebrating.'

"I must apologize for this brief glance at a great past because I know you are eagerly awaiting the thrilling touch of a master hand. The man and the occasion meet in a brilliant and distinguished Georgian; and I as a Georgian take peculiar pride and pleasure in introducing one whose fame is already national as a jurist, statesman, and orator, in the plenitude of his splendid intellectual culture and power and in all the glory of his matchless eloquence, the Hon. Emory Speer."

ADDRESS OF JUDGE SPEER

Of John Marshall William Pinckney exclaimed, "He was born to be the Chief Justice of any coun-

try in which Providence should have cast him." Petigru of South Carolina declared, "The fame of the Chief Justice has justified the wisdom of the Constitution, and reconciled the jealousy of freedom to the independence of the judiciary." His long and illustrious career inspired the pious declaration of Binney, "The Providence of God is shown most beneficently to the world in raising from time to time, and in crowning with length of days, men of preeminent goodness and wisdom." To the labors of this illustrious American and to what we may devoutly believe was the divinely ordered prescience of his mind, more than to all the utterance of statesmen living or dead, more than to all the eloquence which has "mastered, swayed, and moved the eminence of men's affections," is to be ascribed the survival of Americanism, the existence of our mighty federated nation, and the lustre of those unfading stars in our country's ensign, which in union indestructible will now forever shine.

On the 24th of September, 1755, John Marshall was born in the beautiful county of Fauquier in Virginia. This county was nearly a century afterwards famous with the veterans of Lee as "Mosby's Confederacy." It is even now a coincidence, not without its interest, that children who gather there on the arrival of the train at the little station of Midland, may point the attention of the traveler to the crumbling ruin where first saw the light the mighty expounder of the great instrument of our Union, and by the handful will offer for sale the thickly strewn rifle-balls, there fired in the great war for its disruption.

The father of the future Chief Justice was

Thomas Marshall. He came from the celebrated county of Westmoreland, once referred to by a Governor of Virginia, with that State pride not yet wholly extinct in the sons of the Old Dominion, as "the prolific soil that grows Presidents." It is true that Washington, Madison, and Monroe all came from the county of that sturdy patriot, the father of the famous Chief Justice. Marshall, the father, was born the same year with Washington. He was indeed the companion of the patriot commander, when the latter in after years surveyed for his friend Lord Fairfax the primeval wilderness, shading with its imperial frondage the fertile and picturesque valley of Virginia, and, like Washington, he also was one of the first to fly to arms, to resist the aggressions of the British Ministry. He was successively colonel in the Third Virginia Infantry, Woodford's Brigade, and the First Virginia Artillery, in the Continental line. He fought with distinguished valor at Germantown and Brandywine, having three horses killed under him, and largely through his skill and courage at Brandywine, the defeated Continental forces were enabled to extricate themselves from complete disaster. Two years after the Treaty of Peace, Colonel Marshall, with the younger members of his family, traversed the romantic passes of the westward mountains, and a leader among those tall and stark hunters who drove the savage from the "Dark and Bloody Ground," he built a new home in the "heart of the Bluegrass" in a now renowned county of Kentucky, which he named Woodford, in honor of the brigadier under whom in days past he had fought for independence. Of Marshall, the father, Justice Story recounts:

"I have often heard the Chief Justice speak in terms of the deepest affection and reverence. I do not here refer to his public remarks, but to his private and familiar conversations with me, when there was no other listener. Indeed, he never named his father on these occasions without dwelling on his character with a fond and winning enthusiasm. It was a theme on which he broke out with spontaneous eloquence, and in a spirit of the most persuasive confidence he would delight to expatiate upon his virtues and talents. 'My father,' would he say with kindred feelings and emphasis, 'my father was a far abler man than any of his sons. To him I owe the solid foundation of all my own success in life.' " O what filial love was this! What testimony to the nobility of father and of son! In all that makes for elevation of character, for breadth of thought, for courageous and conscientious manhood, the young Virginian enjoyed a heritage more priceless than all the wealth accumulated by the greed of all the titled misers,

> "Whose ancient but ignoble blood
> Has crept through scoundrels since the flood."

The mother of John Marshall belongs to that period in the society of the Old Dominion so delightfully portrayed by Thackeray in his "Virginians." But we may safely conclude that, unlike the "Lady Esmonds" of her time, she did not in stately brocades or rustling silks glide through the mazes of the minuet, or prance with alacrity in the contra dance. She had other engagement. She was the mother of fifteen children, of whom the future Chief Justice was the eldest, and such was her

solicitous care that she reared them all until they were grown and married. Had our observant President been the contemporary of that charming Virginia dame, he might never have been affrighted by certain forebodings with which he has enlivened the apprehensions of his patriot countrymen. Her maiden name was Mary Isham Keith. Her father was an Episcopal minister, and a full cousin of that famous Field Marshal James Keith, perhaps the most renowned of the lieutenants of the Great Frederick. It has been said that great men get their greatness from the mother's side. Certain it is that in Carlyle's "Life of Frederick the Great" are recorded many traits of Field Marshal Keith which are clearly discernible in his American cousin. "He is a soldier of fortune, and, like the expatriated Scottish gentlemen of that day, offers his sword wherever he may have honorable service. Frederick attentively watches Keith while he is serving the Czar, and concludes that what he does is done in a solid, quietly eminent, and valiant manner." "Sagacious, skilful, imperturbable, without fear and without noise, a man quietly ever ready." Finally, nine years before our Chief Justice is born, Keith's service with the Russians being ended, Frederick grasps eagerly at the Scottish soldier's offer to serve him. "Well worth talking to, though left very dim to us in the books," writes the same biographer, of a later period, "is Marshal Keith, who has been growing gradually with the King, and with everybody ever since he came to these parts in 1747. A man of Scotch type; the broad accent, with its sagacities, veracities, with its steadfastly fixed moderation, and its sly twinkles of defensive humor, is still

audible to us through the foreign wrappages. Not given to talk, unless there is something to be said, but well capable of it then." John Marshall might have sat for that picture. All through the wonderful pages of this story of the last of the great Kings, this Scotch cousin of John Marshall is showing these Marshall traits. At the famed battle of Prague, fought May 6, 1757, which sounded throughout all the world in that day, and since then commemorated in a composition alleged to be musical, with which vigorous amateurs, mostly feminine, have belabored pianos and deafened mankind. All through that terrible Seven Years' War, until the bloody day at Hochkirch, where, having saved the Prussian Army, shot through the heart, "Keith's fightings are suddenly all done." "In Hochkirch Church," writes Carlyle, "there is still a fine, modestly impressive monument to Keith; modest urn of black marble on a pedestal of gray, and in gold letters an inscription," in Latin, which "goes through you like the clang of steel." But four months after his death, by royal order Keith's remains were conveyed to Berlin, and with all the honors and all the regrets were reinterred in the Garnison Kirche there, and the lament of the great Scotch writer is like the wail of the pibroch as it chants "Lochaber No More"; "Far from bonnie Inverugie; the hoarse sea winds and caverns of Dunottar singing vague requiem to his honorable line and him." "My brother leaves me a noble legacy," said the old Lord Marischal. "Last year, he had Bohemia in ransom; and his personal estate is 70 ducats (about 25 pounds)." "Frederick's sorrow over him is itself a monument. Twenty years after, Keith had from

his master a statue, in Berlin, which still stands in the Wilhelm Platz there."

Early evincing the power and saneness of his mind by a strong love of literature, it is said that the future Chief Justice at the age of twelve could recite a large portion of the writings of Pope, and was familiar with Dryden, Shakespeare, and Milton. At the age of fourteen he was sent to the classical academy of the Messrs. Campbell, Scotchmen, who had established a famous school in Westmoreland County, where Washington and Munroe and many other famous Virginians had received instruction.

At the age of eighteen he began the study of law, but was not long permitted to devote himself to the service of that jealous mistress. The war of the Revolution came, and the volunteers of Culpeper, Orange, and Fauquier counties organized themselves into a regiment of minute-men. Walking twenty miles to attend the first drill, his neighbors gave him the appointment of first lieutenant in one of the companies. The military career of the future Chief Justice was not brilliant, but it was marked by quiet endurance, active service and constant valor. He was personally engaged with his command at the bloody defeats of Brandywine and Germantown, at the scarcely less bloody, but partial victory, on that torrid and famous day at Monmouth, and, with the utmost loyalty to the patriot cause, went into winter quarters at Valley Forge, where also were his father and two brothers with Washington's starving and depleted army. The story of that memorable encampment is radiant with glory for our Revolutionary sires. The cold was intense, and yet the soldiers were often

almost naked, and as a rule they were without shoes, so that they could be tracked by the blood from their frozen feet. A mess-mate of Marshall during this period was Lieutenant Phillip Slaughter. He relates that his own supply of linen was one shirt, and that while having this washed, he wrapped himself in a blanket. All the while that renowned Prussian martinet, Baron Steuben, was drilling the Continental Army, and Slaughter had wristbands and a collar made from the bosom of his shirt to complete his uniform for parade. Had he been compelled to throw off his coat, like the vest of Porthos, when D'Artagnan, as recounted in Dumas' great story, jerked off his cloak, the undergarment, while sufficient in form, would have been lacking in substance. Of Marshall this comrade writes affectionately:

"He was the best tempered man I ever knew. During his sufferings at Valley Forge, nothing discouraged, nothing disturbed him. If he had only bread to eat, it was just as well; if only meat, it made no difference. If any of the officers murmured at the deprivations, he would shame them by his good-natured raillery, or encourage them by his own exuberance of spirits. He was an excellent companion, and idolized by the soldiers and his brother officers, whose gloomy hours he enlivened by an inexhaustible fund of anecdote."

Many Americans, great intellectually, have been noted for their athletic powers. Such a man was the famous Walter T. Colquitt of Georgia, who was as effective in the prize ring as in the pulpit, in the rough-and-tumble fight in the court-house and in the court-house square. Such another was Benjamin H. Hill, who in my judgment was never

surpassed in the forum, on the stump, or in the Senate, and who as a wrestler would have been worthy of a place in the Olympic Games. The gigantic strength of Abraham Lincoln was well known. And young Marshall was no exception to men of this class. President Quincey relates that early in the century he heard Southern men in Washington declare that Marshall was the only man in Washington's army who could put a stick on the heads of two persons of his own height, six feet, and clear it at a running jump. In a foot race he was like the winged-footed Mercury, and as he ran in stocking feet, the soldiers bestowed upon him the affectionate nickname "Silver Heels" from the color of the yarn with which his good mother had finished the heel of his black stockings.

It was at this period that he first began to show his judicial capacity and fairness of mind. He was constantly chosen by his brother officers to decide their many disputes, and his judgments in writing were usually accompanied by such sound reasons that the irritable disputants were generally satisfied. In addition to his service in the field, he was appointed Deputy Judge-Advocate of the Army, and thrown into close personal relations with Washington, won the enduring confidence and affection of His Excellency. It appears, however, that the patriots had need for his services, other than judicial. He was promoted to a captaincy on the battlefield of Brandywine, and, as stated, fought at Monmouth, at Germantown, at Iron Hill, and Paulus Hook. He was a member of the party covering the forlorn hope, who under "Mad Anthony" Wayne swarmed up the precipitous height at Stony Point, and with the bayonet mastered en-

trenchments which the leaders of the British Army had deemed impregnable. That part of the Virginia line to which he was attached being now mustered out, left without a command, the young officer returned to Virginia to obtain service with the new levies from that State. Repairing to the old capital at Williamsburg to await the hesitating action of the State legislature, he seized the opportunity to attend the law lectures delivered by the famous Chancellor Wythe of William and Mary College, and as a consequence, in the ensuing summer, was enabled to obtain a license to practice law.

We may not safely conclude that at this period of his young and vigorous life, it was all work and no play with the soldier student. At Williamsburg, according to a biographer of Jefferson, "there were cakes and ale in those days, young girls, and dancing at the Raleigh tavern, cards and horses; and the young Virginians had their full share of all these good things." Later in life he took wine only when it rained, but he was accustomed to remark to Justice Story that his judicial territory was so great, that although it might be clear at Washington, it must be raining somewhere in his jurisdiction. While reading law and enjoying the halcyon days of youth, Marshall did not fail to make repeated efforts to again obtain service with the patriot forces, and with that hope actually walked from Virginia to Philadelphia. The war, however, was about over. There was a redundancy of officers of the Virginia line, and no additional troops being raised, he was unwilling to remain longer a supernumerary, and in 1781 the future Chief Justice resigned his commission,

and entered upon the practice of the law in his native county of Fauquier. The young lawyer rose rapidly at the bar. His success was steady and progressive. With a Keith-like modesty he ascribed it to the friendship of his old comrades-in-arms, a soldierly attribute which in later days has contributed reward and renown, both legal and political, to some of our own contemporaries.

The close of the Revolution was a fortunate period for the young practitioner. The changes of property, innumerable outstanding debts, contracts, and old controversies long delayed, were fruitful sources of litigation, profitable—at least to counsel. So remarkable was the success of Marshall, that after two years' practice in Fauquier and adjacent counties he had established a reputation, augmented by his distinguished services in the Virginia Assembly, which justified him in removing his office to Richmond, where almost at once he took the lead among the renowned lawyers of that famous capital. And they were indeed foemen worthy of his steel. Among them were such names as James Ennis, Alexander Campbell, Benjamin Botts, Edmund Randolph, John Wickham, and most famous and best beloved of all, Patrick Henry.

The eloquent William Wirt has left us a graphic account of Marshall's style of argument in the courts. "All his eloquence consists in the apparently deep self-conviction, and the emphatic earnestness of his manner; the correspondent simplicity and energy of his style; the close and logical connection of his thoughts; and the easy gradations by which he opens his lights on the attentive minds of his hearers. The audience are

never permitted to pause for a moment. There is no stopping to weave garlands of flowers, to hang in festoons around a favorite argument. On the contrary, every sentence is progressive; every idea sheds a new light on the subject."

On January 3, 1783, the happy young manhood of John Marshall, now twenty-eight years of age, received its crowning joy by his marriage with Mary Willis Ambler, a daughter of Jaqueline Ambler, Treasurer of Virginia. The purity of his thoughts, the charm of his manner, and his unconcealed admiration for the fair sex made him ever a favorite with the members of that last and best achievement of the Creator. We are afforded a charming account of his meeting with his sweetheart by a letter from her sister, Mrs. Edward Carrington, published in "Colonial Days and Dames," by Anne Hollingsworth Wharton. It seems that the bachelor lawyer had a mind to attend a ball at York, and his coming was not unheralded. "Our expectations," writes Mrs. Carrington, "were raised to the highest pitch, and the little circle was on tiptoe on his arrival. Our girls, particularly, were emulous who should be the first introduced. It is remarkable that my sister, then only fourteen and diffident beyond all others, declared that we were giving ourselves useless trouble, for that she, for the first time, had made up her mind to go to the ball (though she had not even been to a dancing-school), and was resolved to set her cap at him, and eclipse us all. This in the end proved true, and at the first introduction he became devoted to her." It is interesting to recall the fact that the mother of Marshall's sweetheart was Judy Burwell, the "Belinda" as he called

her, after the euphuistic fashion of the time, to whom Thomas Jefferson had made a limited proposal of marriage some twenty years or more before. That adolescent statesman told his "Belinda" that he loved her, but did not desire at present to engage himself, since he wished to go to Europe for an indefinite period, but he said that on his return, if his affections were unchanged, he would finally and openly commit himself. This early "declaration of independence" did not appeal to "Belinda," and the laggard in love was promptly dismissed. A little more fire on the part of the future sage of Monticello, and who knows, Jefferson might have been the father-in-law of Marshall. Their historic differences might have been adjusted in family councils, or terminated by conjugal decrees, for then as now, "the hand that rocks the cradle is the hand that rules the world." Marshall was indeed a devoted lover, and Justice Story, after his wife's death, described him as "the most extraordinary man I ever saw for the depth and tenderness of his feelings." A letter written to her when he was three score and ten betrays how the mind of the old man reverted to those blissful days when he wooed and won the sweet companion of his life. He had received an injury to his knee, about which Mrs. Marshall was anxious. "I shall be out," he writes, "in a few days. All the ladies of the Secretaries have been to see me; some more than once, and have brought me more jelly than I could eat, and many other things. I thank them, and stick to my barley broth. Still I have lots of time on my hands. How do you think I beguile it? You must know I begin with the ball at York, our splendid assembly in the Palace in Williamsburg,

my visit to Richmond for a fortnight, my return to the field, and the very welcome reception you gave me on my arrival at Dover, our little tiffs and makings up, my feelings when Major Dick was courting you, my trip to the Cottage [the Ambler Home in Hanover county where he was married], the thousand little incidents deeply affecting in turn." Surely the great Chief Justice shared to the full the tender sentiment of Tom Moore,—

> "There's nothing half so sweet in life
> As love's young dream."

We now approach the period of Marshall's achievements as a statesman. His long service in the army, and his familiarities with the difficulties that Washington and the country had encountered, enabled him to perceive with clearness the defects of the Government which had for a paper title the old Articles of Confederation.

In the utter absence of national credit, at the end of the year 1779, a continental dollar was worth less than two and a half cents. A metaphor of depreciation, "not worth a continental," originated then, and, somewhat expanded, still enlivens our vocabulary. Our ally, the King of France, had been lending us money, wrung by merciless taxation from the *sans culottes,* while man for man the American people were far richer than the people of France. Such is the paralysis of government, where there is no power to compel a fair distribution of its burdens. The condition of the American troops was indeed pitiable. Writing to that beautiful young wife, from whose arms he had flown to draw his stainless sword for the

cause of freedom, Marquis de LaFayette declared, "No European army would suffer the one-tenth part of what the American troops suffer." We have the authority of General Greene for believing that nothing held them together "save the influence of the Commander-in-Chief, whom they almost adore." Indeed, so impotent was the Government that it was difficult to get a quorum of Congress to assemble to approve the Treaty of Peace, for which the patriots had bled and suffered throughout the entire war.

To no other, save perhaps to Hamilton and to Washington, were these conditions more plainly apparent than to John Marshall. We may well believe that the iron had entered his soul, when with patriotic fire he had trudged afoot from Virginia to Philadelphia, to take anew his place with the colors, and a ragged, penniless captain of the Continental line, he had been denied admittance to a Philadelphia inn. How, therefore, must John Marshall's soul have thrilled with joy, for the fruition of the work of that immortal body, who, with wisdom "prophetic and prescient of whatever the future had in store," labored with swerveless devotion to construct for our country a Constitution worthy of its heroic past, and comprehending in its majestic design powers to provide for all the exigencies of an expanding civilization, unparalleled in the annals of man, securing the enlightenment, the happiness, the freedom of uncounted millions of the mighty race, who in ages to come will turn with ever-increasing adoration to the Flag of the Freeman's home and hope.

Nor was this great Virginian merely a sentimental, idle supporter of the Constitution. With

an unbreakable hold upon the affections and confidence of his people, he was elected to the Virginia Convention of 1788, assembled to determine whether the Constitution should be adopted. The people of Henrico County, then including the city of Richmond, with unmistakable majority were opposed to the adoption of the Constitution. By the witching eloquence of Patrick Henry they had been wooed into a devotion for separate and unqualified State sovereignty. On the other hand, John Marshall lost no opportunity to make effective his cordial advocacy of the Constitution. He was assured that if he would become a candidate, and would oblige himself to vote against the Constitution, all opposition would be withdrawn, otherwise that his election would be contested. He declared, "I will vote for the Constitution if I get a chance."

This memorable convention, mainly composed of renowned representatives of the "first families" of Virginia, met in Richmond on the 2d of June, 1788. Until a very recent period the people of the Southern States, perhaps more than any others, rejoiced in the opportunity to hear the joint discussions of their famous men, and the Virginians of that day afforded no exception to the rule. In his "Life of Patrick Henry," William Wirt in Ciceronian phraseology gives us a lively account of the momentous gathering.

"Gentlemen," writes he, "from every quarter of the State were seen thronging to the metropolis, and speeding their eager way to the building in which the convention held its meeting. Day after day from morning until night, the galleries of the house were continually filled with an anxious

crowd, who forgot the inconvenience of their situation in the excess of their enjoyment."

Marshall was ever more prone to listen than to speak, but when he came forward with quiet intrepidity, as Ivanhoe in the lists of Ashby smote with the point of his lance, and rang against the shield of Brian de Bois Guilbert, so the young Virginian aimed his blows at the Coryphæus of the opposition, the redoubtable Patrick Henry. The story of this famous debate is familiar history. Patrick Henry rang every note of discord as only he could do. "We shall have a king," he cried; "the army will salute him as a monarch." He seized upon the terrors of a transient thunder storm, and with ready dramatic power instanced the flashing of lightning and the crashing of the thunder as marks of the displeasure of Heaven upon the proposed Constitution. But the admirable temper of Marshall's argument, his lucid analysis, his astonishing familiarity with the mischiefs the Constitution was intended to remedy, and the irresistible logic with which he enforced his propositions made the profoundest impression upon the convention, and well-nigh dominated the elevated conscience of Patrick Henry himself. Marshall was then but thirty-three years of age, but speaking of him, Patrick Henry exclaimed, "I have the highest respect and veneration for the honorable gentleman. I have experienced his candor upon all occasions." We may well believe that in that high debate there came before the imagination of Marshall those visions of the victorious, powerful, proud and united nation with which he and Monroe, Hamilton and Laurens, and many other brilliant young patriots had beguiled the

weary hours around the flickering camp-fires of Valley Forge. We may not doubt that there came to his memory the reiterated declarations of Washington, that to maintain our liberties the States must surrender something of the fiction of sovereignty, and while preserving their integrity, must adjust their relations to a central and supreme authority. In truth, the actual constitutional convention may have been held around the camp-fires of the Continental army. There, with conceptions crystal-clear of our country's needs, the officers and men of the American forces had in substance formulated the noble system of government under which we live, and could Washington in 1776 have wielded the power now proper to our Commander-in-Chief, the manhood of the American people could have expelled the British from our shores almost as swiftly as we but lately drove the Spaniard from the island of Cuba. Finally, the resistless appeal to reason by Marshall, the lucid and temperate persuasions of Madison, the quiet but irresistible power of Washington prevailed upon the noble manhood of the Old Dominion, and on June 25th, by a majority of ten, she cast her lot with her sister States, and voted for the Constitution.

And now the Constitution was adopted. And now Washington, the first President, seeming more the venerated sage than the fearless warrior, again traversed the northward road from Mt. Vernon, over which fifteen years before he rode to take command of the patriot forces. Now, on famous fields, he was hailed with the acclamations of his countrymen, and by "white-robed choirs" of his lovely countrywomen singing odes

of welcome as they strewed flowers before him, with stately ceremonial was inaugurated; and the Government like some mighty machine began its rhythmical movement, and the Nation was made.

Oh, my young countrymen, when we contemplate our increasing millions, when we perceive how they rejoice in the blessings of liberty and law, when we view our goodly heritage, when we know that with all our past glories our mission for humanity is scarcely begun, with what gratefulness and love should we dwell upon the memory of the great men of our race, who made this possible, who made this sure.

It was inevitable that John Marshall, who took such great part in the formation of our Government, should soon be called to assist in its administration. In the Virginia Assembly, as Envoy to France, as a Member of Congress, as Secretary of State, he now successively served the people of his State and of the Nation. It was but natural also that Marshall should have cherished the highest confidence in the wisdom and patriotism of the President; and he accorded an unwavering support to those measures of internal concern and foreign policy advised by that exalted patriot, and about which it now seems impossible that there could have been a difference of opinion among enlightened men.

The services rendered by Marshall in this mission to France were inestimable. With the scorn of an honest man he confounded the corrupt schemes of the brilliant but unscrupulous Talleyrand, and opened the eyes of the quick-sighted French statesmen to the probity and force of the American character. Thus the foreigners were

made to know the confidence of our people in our vast but yet untested powers. While apparently displeasing to Jefferson, the action of the envoys doubtless contributed to the success of that measure, which adds most largely to his fame, for a few years later, when he was President, and Napoleon was dispatching a powerful military force to intrench French authority in the Louisiana territory, and America determined to resist, the First Consul quickly sold to our country, not only the city of New Orleans, but the mighty Louisiana Purchase west of the Mississippi, now comprising many imperial States. The effects of this mission upon the fortunes of Marshall were more immediate. John Adams declared of him, "He has raised the American people in their own esteem, and if the influence of truth and just-reasoned argument is not lost in Europe, he has raised the consideration of the United States in that quarter."

He was tendered the position of Associate Justice of the Supreme Court of the United States. The appointment was declined. It is said that a controlling reason for his declination was the earnest request of Washington that Marshall should again accept a candidacy for Congress. His reelection was warmly opposed by Mr. Jefferson and his party. The contest was severe. It was industriously circulated that Patrick Henry, who belonged to the Jefferson party, was antagonistic to Marshall. But that noble Virginian betrayed a magnanimity and patriotism which the politicians of the present day might often imitate with profit to the country. Notwithstanding their past differences, he at once declared: "John Marshall and his colleagues exhibited the American character

as respectable. France in the period of her most triumphant fortune beheld them as unparalleled. Tell Marshall I love him because he felt and acted as an American. I really should give him my vote for Congress preferably to any citizen in the State at this juncture, one only excepted, and that one is in another line." That one was Washington himself.

Marshall was elected, Congress convened, and, most unhappily, one of his first duties was to announce in the House the death of the Father of his Country, the "hero, the patriot, and the sage of America." On the 19th of December, 1789, with deep emotion, Marshall arose, addressed the chair, and informed the country that "Washington lives now only in his own great actions, and in the hearts of an affectionate and afflicted people." He proceeded to offer the resolutions, prepared by General Henry Lee, the famous "Light Horse Harry" of the Revolution, the son of Washington's "Lowland Beauty," Lucy Grimes, and the father of our own immortal Robert Edward Lee. These resolutions contained the imperishable tribute, "First in War, First in Peace, and First in the Hearts of his Countrymen."

On the reorganization of Mr. Adams' Cabinet, Marshall was nominated as Secretary of War. This he declined, but Mr. Pickering having been removed by the President from the State Department, Marshall accepted that position, and while holding this office on the 31st of January, 1801, a little more than one month before the expiration of the Adams Presidential term, he was appointed Chief Justice, and on the 4th of February of that year he took the oath of office and his seat on the

bench of the Supreme Court of the United States. It was as Chief Justice that John Marshall won his great fame, and made an impression upon the fortunes of the nation which will not perish from the memory of men as long as the sciences of government and jurisprudence survive.

"From his youth upward," said the stately and eloquent Binney, "he had been engaged in various stations and offices tending successively to corroborate his health, to expand his affections, to develop his mind, to enrich it with the stores of legal science, to familiarize it with public affairs and with the principles of the Constitution, and before little more than half his life had run out, producing from the material supplied by a most bountiful nature, a consummate work preeminently fitted for the judicial department of the Federal Government." From the admiring pen of Justice Story we have this description of his personal appearance at this time: "Marshall is of a tall, slender figure, not graceful or imposing, but erect and steady, his hair is black, his eyes small and twinkling, his forehead rather low, but his features are in general harmonious. His manner is plain, yet dignified. An unaffected modesty diffuses itself through all his actions." The bearing of the Chief Justice in the actual discharge of his judicial duties was as perfect as their result. Said a contemporary: "His carriage was faultless. Whether the argument was animated or dull, instructive or superficial, the regard of his expressive eye was an assurance that nothing that ought to affect the cause was lost by inattention or indifference, and the courtesy of his general manner was only so far restrained on the bench as was necessary for the

dignity of office and for the suppression of familiarity." Another eulogist has declared, "Of the parties he knew nothing, of the case everything."

The august court of which he was now the Chief Justice is purely an American creation. Early in its history it was said by DeTocqueville: "A more imposing judicial power was never constituted by any people. The Supreme Court is placed at the head of all known tribunals, both by the nature of its rights and the classes of justiciable parties which it controls." The great critic of our institutions was right. Its majestic final jurisdiction, particularly to annul legislation not warranted by the Constitution, has been in truth as impressive to the political philosopher, as beneficial to the great Republic. This feature of our judicial system, exercised not only by the Federal but by the State courts, with final appeal to the Supreme Court of the United States, was startling to the absolutism of the world. England's highest court of justice may not arrest the operation of an Act of Parliament even though it be in violation of Magna Charta. "It was reserved," said Edward J. Phelps, "for the American Constitution to extend the judicial protection of personal rights, not only against the rulers of the people, but against the representatives of the people." Mr. Jefferson and his followers were in that day bitterly jealous of this power, and the feeling has perhaps not yet wholly disappeared. Indeed, it is stated by the most recent biographer of Jefferson, the brilliant and epigrammatic Thomas E. Watson, of our own State, that to shake the authority of the Federal courts he adopted the plan of impeaching Associate Justice Chase. "The prosecution," said Mr. Wat-

son, "failed miserably. Chase came forth in triumph. Henceforth John Marshall was safe." Aye, and the country was safe.

No thoughtful patriot can longer doubt that this great judicial power more than all other causes has contributed to establish justice, to provide for the general welfare and to secure the blessings of liberty to ourselves and our posterity. It has remained, however, for our own times to witness that great tribunal, with unshrinking courage and immovable firmness, brand the condemnation of the Constitution, upon measure after measure, in decisions vital to the peace and happiness of the homogeneous Anglo-Saxon population of the Southern States, decisions which have enabled us to rebuild our homes, to reconsecrate our altars, to re-kindle the torch of education, to add the superabounding products of our practically untouched resources of field, forest, and mine to the aggregate wealth of the nation, and so endear again to the people, our common country, that in its recent need the veterans of Lee and Johnston, and the sons of their blood, flocked to the colors with a spontaneity and enthusiasm unsurpassed by the veterans of the Union, or by the gallant youth of the North.

We are not, however, to conclude that the mind of the great Chief Justice was absolutely colorless. A soldier and patriot, and distinguished in political life, he could not divest his mind of an interest in public affairs, nor put behind him the opinions he had deliberately formed as to the best methods of government. He believed that the Constitution, while preserving all the essential rights of the States as to local government, had been intended

to create and did create a perpetual National Government as to national affairs; and so believing, he saw a meaning in the instrument which made the great majority of his decisions accord with national principles of construction and policy.

How vastly his doctrines of constitutional construction have contributed to the power of the nation, and the prosperity and happiness of the people, is beyond the descriptive measure of human speech. The supremacy of the Government, its power to establish banks for the commerce of the people; its power to control the commerce with foreign nations, and between the States upon principles of justice; to establish uniform rules of naturalization, and uniform laws on the subject of bankruptcy; to restrain unconstitutional powers attempted by the States; to condemn the valueless State currency at times emitted; to uphold the obligations of contracts; to promote internal improvements; and to provide for the common defense—these are but a few of the vital questions which are imperishably imbedded in our system by the constructive genius, the massive minds, the immovable firmness, the abounding patriotism of John Marshall and the great judges who have thought with him.

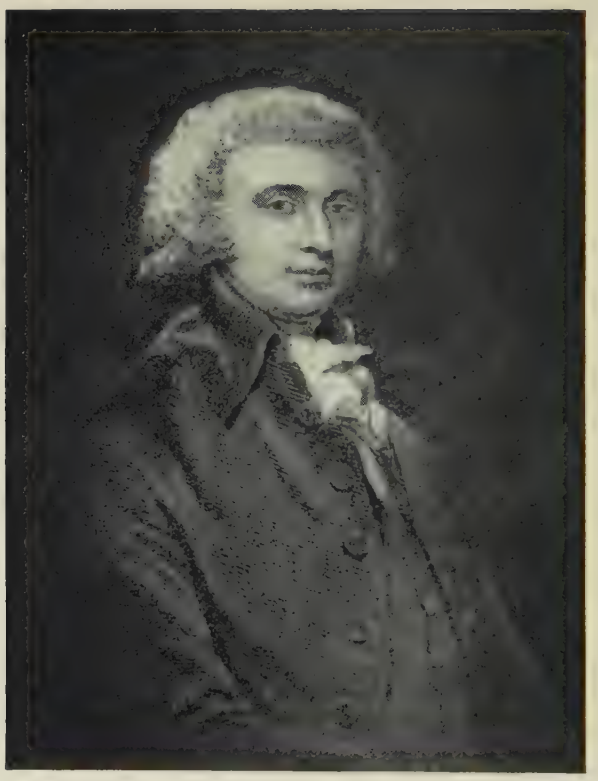
It is true that when old and worn, upon his aged eyes fell the vision of that portentous cloud looking above the horizon, to bring in its wake the cyclone of revolution, to sweep away millions of property and thousands of priceless lives, but around his dying couch gleamed the halo of his judicial achievements, and these still live in their pristine power to save the nation in its greatest need, and will live while the nation lives.

It fell to his lot to outlive well-nigh all of those mighty builders who had laid, and cemented with the blood of many, the foundation of American liberty, and who had constructed thereon the shapeliest and strongest scheme for the government of freemen the world has ever known. His beloved Commander, the idol of his heart, for more than a generation had been sleeping in that spot on the romantic banks of the Potomac, then, now, and forever to remain the sacred shrine of a nation's love. The ashes of Alexander Hamilton, his best beloved young comrade-in-arms, for many years had reposed in an untimely grave. The mild and persuasive Madison, his colleague and co-laborer in the Virginia Convention to adopt the Constitution, now penning with tremulous hand, to the people whom he loved, his last pathetic warnings against the dangers of nullification and disunion, had less than a year to live. John Adams, the fiery and incorruptible patriot, who had been rocked in every storm of the Revolution and who had declared in his old age that his gift of John Marshall to the people of the United States was the proudest act of his life, and Thomas Jefferson, the author of the Declaration of Independence, nine years gone, were both dead, on Independence Day. Marshall was now nearly eighty years of age. The sweet Virginia maiden, who more than fifty years before had won the love of the affectionate, strong young soldier, coming from the war, the true and tender helpmeet in all the trials and anxieties of his wondrous career, she too, as he said, "a sainted spirit, had fled from the sufferings of life."

Afflicted by the maladies common to extreme

old age, the great Chief Justice, who knew his Bible and loved his God, no doubt often dwelt upon the mournful majesty of the Psalmist when he exclaims: "The days of our years are threescore and ten; and if by reason of strength they be fourscore years, yet is their strength, labor and sorrow." So with his mighty intellect unclouded to the last, on the 6th day of July, 1835, about 6 o'clock in the evening, the greatest judge the world has ever known calmly met the inevitable hour, and passed away in peace.

Though dead, enshrined in the love and veneration of his country, he lives and shall live in glorious memory to the latest times, and from the very flower of the country's purity and patriotism, from famous law schools and universities, from the members of his noble profession, from courts of loftiest jurisdiction, from great cities, and from hamlets, from the grateful hearts of eighty millions of people, and from millions yet unborn, come and will continue to come acclamations to the fame of this mighty American, who taught to the people the imperishable truth, indispensable to our happiness and strength at home, and our strength and honor abroad—he best serves and loves his State, who country serves and loves the best.



THOMAS ERSKINE

FACING PAGE 209

ERSKINE.*

Mr. President, Gentlemen of the Law Class, Ladies, and Gentlemen:

With long opportunities for observation I am convinced that the greatest handicap upon the educated youth of our country to-day, is the inability to make clear and attractive public discussion commensurate with their intellectual power, of those topics which daily present themselves to the consideration of a self-governing people.

"He who would teach eloquence," said Hume, "must do it chiefly by examples." He who would demonstrate that it can lose none of its influence, usefulness and power must, to some extent, do likewise. The brevity essential to this occasion obliges me to restrict your attention to one example, to that illustrious member of the English Bar who though dead for nearly a century yet maintains unchallenged leadership in the noble profession of advocacy, Thomas Lord Erskine, Lord Chancellor of England. "As an advocate in the forum," said Lord Campbell, "I hold him to be without an equal in ancient or modern times." He had no less power with the court than with the jury. A complete life of this marvelous man has not yet been written. Like Nottingham, Somers, and Hardwick, and like many an illustrious advocate and jurist in our own land, he has failed to obtain an enthusiastic or

*Baccalaureate Address as Dean of Law School, Mercer University, Commencement, 1908.

even faithful biographer. In his "Lives of the Lord Chancellors," Lord Campbell has recorded many incidents of Erskine's life. The paper from the pen of the titled biographer is, however, unhappily marked by some of those characteristics which prompted Sir Charles Weatherell to refer to the author as "my noble and biographical friend who has added a new terror to death."

He was born in Edinburgh in January, 1750. His father, Henry David Erskine, Earl of Buchan, might trace his earldom to the times of William the Lion, but when the son, whose impression on history would surpass that of all his titled ancestors combined, was born, the eccentric earl possessed an income not greater than two hundred pounds a year. It followed that the future leader of the English bar could not be regularly trained for either of the learned professions. He, however, mastered the rudiments of classical culture at the High School of Edinburgh, and the University of St. Andrew. In 1764 he went to sea as a midshipman, in a ship commanded by a nephew of Lord Mansfield, then Chief Justice of England. After four years of sea service, his ship having been paid off, at the age of eighteen Erskine obtained a commission as ensign in the Royals or First Regiment of Foot. Two years later he committed what some have termed an act of improvidence, but which the better informed believe to be the felicitous consummation essential to the development of genius. He married a young woman of good family but of no fortune. It surely seems essential to the rapid and continuous progress toward eminence at the bar that the young lawyer, like the otherwise immovable terrapin, must have a

coal of fire on his back. I use this metaphor to indicate the ardent and stimulating effect of judicious matrimony, and hasten to protest against the incinerating or scarifying idea the suspicious or malevolent might suggest. It was Lord Kenyon, I believe, who said to a young advocate of wealth whose advancement had been slow, "Sir, you must spend your fortune, take you a wife, then spend her fortune, and then you will go to work." Erskine's wife having died just before he obtained the Lord Chancellorship, he recorded on her tombstone that she was the most faithful and most affectionate of women. Later in life he remarried, this time a Miss Sarah Buck, who, as her maiden name might import, was not altogether so amiable or controllable. To this infelicitous alliance Sheridan applied the lines of Dryden,

> "When men like Erskine go astray,
> The stars are more at fault than they."

While stationed with his regiment at Minorca, Erskine entered upon the systematic study of English literature. It is probably true that no two years were ever better spent in what seems an unconscious effort to enhance his native gifts of eloquence. He read largely in prose, but Lord Brougham declares that "he was more familiar with Shakespeare than almost any man of his age, and Milton he had nearly by heart." "The noble speeches in Paradise Lost," exclaimed this great contemporary, "might be deemed as good a substitute as could be discovered by the future orator for the immortal originals in the Greek models." We find that in after years these were often utilized in our own land by the mighty Webster him-

self. The works of Dryden and Pope were also read, and were committed to memory by Erskine with the avidity of a refined and well-formed taste. While with his military command he not only read prayers but preached sermons to the regiment. The felicitous combination of lawyer, preacher, and politician has not yet entirely passed off the stage. Late in his life there was a fictitious publication forecasted by his waggish friends, entitled "Sermons preached on ship board and in the camp by the Right Honorable Thomas Lord Erskine, late Lord High Chancellor."

It is interesting to recall that my honored predecessor in the station I hold, Judge John Erskine, was of the same family as the great advocate of whom I speak. In early manhood he too had been a sailor and spent several years before the mast. When he first held the United States District Court at Savannah, where certain learned proctors are very nautical indeed, the trial of an admiralty case afforded them an opportunity to explain to the new judge many practical questions relating to navigation, and particularly the rigging and tackle of a ship. Judge Erskine listened patiently and deferentially while with much detail they explained everything from the main truck to the keel. Finally a brief recess was proposed, when the old sailor quietly remarked, "Gentlemen, I presume that you retire to splice the main brace, be quite sure that you do not bowse the jib."

It is said by some that only accident attracted Erskine's attention to the bar. He had been in the army about six years. Stationed in the country town where the assizes were being held, he strolled into court one day, and Lord Mansfield, who was

presiding, observing his uniform, asked his name. The Chief Justice finding that he was the boy whom he had ten years before assisted in going to sea, the young officer was at once invited to a seat on the bench. His Lordship stated the principal points of the case on trial. Erskine listened to the arguments with the liveliest interest. The counsel were the leaders of the circuit, but it occurred to the young soldier, who ever betrayed the self-confidence of that daring profession, how much more clearly and forcibly he could have presented certain points and urged them on the minds of the jury. Lord Mansfield invited him to dinner, and was delighted with his charming powers of conversation. It is indeed characteristic of most illustrious judges that they are very fond of young men. Erskine, at the close of the evening, propounded to the famous jurist the question, "Is it impossible for me to become a lawyer?" The Chief Justice did not wholly discourage him. His mother, who was a woman of strong character, when consulted, eagerly supported his budding ambition. As the son of a nobleman he was entitled to a degree at one of the universities if he merely kept his regular terms, and by this his term of legal study at the Inns of Court might be abridged. He accordingly became a member of Trinity College, Cambridge, early in 1776, and managed also to keep his terms in Lincoln's Inn. He retained his commission in the Army, for this was essential to his support, but secured a leave of absence for six months. He then sold his commission and eked out the profits with the most painful frugality. He dressed cheaply, lived on cow beef because he could buy nothing better, and after two years of study, in

July, 1778, when twenty-eight years of age, was admitted to that profession of which almost instantly he was to become the most distinguished ornament. He was doubtless excited to this course by the success of another brother, Henry, or "Harry" Erskine, as he was called, who had for some years been the brightest and wittiest member of the Scottish bar. Of the latter I have somewhere read this anecdote: A maiden lady of an uncertain age, of the name of Tickell, appeared as plaintiff against Donald and McLean. Harry Erskine appeared for the autumnal maiden. "Who are the parties in this case, Mr. Erskine?" inquired the crusty old judge. Reversing the order for the sake of the joke, Erskine brightly replied, "Donald and McLean, the defendants, Tickell, the plaintiff, my Lord." Roars of laughter followed, when the judge said, "Tickle her yourself, Harry, you can do it as well as I." This ticklish precedent, though doubtless sound in Scottish jurisprudence, is not to be recklessly followed by the American practitioner.

Thomas Erskine was soon to be at the end of his difficulties and privations. Erskine himself recounts his early professional life as follows: "I had scarcely a shilling in my pocket when I got my first retainer. It was sent me by Captain Bailey of the Navy, who held an office at the Board of Greenwich Hospital, and I was to make answer in the Michaelmas Term, to an order calling on him to show cause why a criminal information for a libel, reflecting on Lord Sandwick's conduct as Governor in that charity, should not be filed against him. I had met during the long vacation this Captain Bailey at a friend's table, and after dinner

I expressed myself with some warmth, probably with some eloquence, on the corruption of Lord Sandwick, as First Lord of the Admiralty, and then adverted to the scandalous practices imputed to him with regard to Greenwich Hospital. Bailey nudged the person who sat next to him, and asked who I was. Being told that I had just been called to the bar, and had been formerly in the Navy, he exclaimed with an oath, 'Then I'll have him for my counsel!' I trudged down to Westminster Hall when I got the brief, and being the junior of five, who would be heard before me, never dreamt that the court would hear me at all. The argument came on. Hargrave, who led, was long-winded and tired the court. It was a bad omen; but, as my good fortune would have it, he was unwell, and was obliged to retire in the course of his argument. This protracted the cause so long that, when he had finished, Lord Mansfield said that the remaining counsel should be heard the next morning. * * * I had the whole night to arrange, in my chambers, what I had to say * * * and I took the court with their faculties awake and freshened, succeeded quite to my own satisfaction (sometimes the surest proof that you have satisfied others), and, as I marched along the Hall after the rising of the judges, the attorneys flocked around me with their retainers. I have since flourished, but I have always blessed God for the providential affliction of poor Hargrave."

Another account states that the next morning the court was crowded, and the Solicitor-General was expected to speak in support of the rule, and just as Lord Mansfield was about to call upon him to proceed, "Erskine arose, unknown to every

individual in the room, except his Lordship, and said in a mild but firm tone, 'My Lord, I am also of counsel for the author of this supposed libel * * * and when a British subject is brought before a court of justice only for having ventured to attack abuses which owe their continuance to the danger of attacking them, * * * I cannot relinquish the privilege of doing justice to such merit, I will not give up even my share of the honor of repelling and exposing so odious a prosecution.' The whole audience was hushed into a pin-fall silence. * * *" He concluded: "If he keeps this injured man suspended, or dares to turn that suspension into a removal, I shall then not scruple to declare him an accomplice in their guilt, a shameless oppressor, a disgrace to his rank, and a traitor to his trust. * * * Fine and imprisonment! The man deserves a palace instead of a prison who prevents the palace, built by the public bounty of his country, from being converted into a dungeon, and who sacrifices his own security to the interests of humanity and virtue."

It is not surprising that Lord Campbell should have pronounced this "the most wonderful forensic effort which we have in our annals." The decision was for Erskine's client; the rule was dismissed with costs. It is probably true that never did a single speech so completely insure professional success.

Some one asked Erskine later in life how he dared to face Lord Mansfield when he was clearly of a different way. He replied, with emotion, "I thought of my children as plucking me by the robe, and saying, 'Now, father, is the time to get us bread.'" His business went on rapidly increas-

ing, until he had an income of 12,000 pounds ($60,000) a year.

In his second year at the bar, with most unusual distinction, he was called upon to defend Lord George Gordon for high treason, the charge flowing out of the No-Popery Riots of 1781, painted in such lurid colors by Charles Dickens in "Barnaby Rudge." On his speech in this case, and eight others, whose renown will be perhaps not less enduring than that of Demosthenes on the Crown, or of Cicero against Catiline, his title as the greatest advocate who has yet arisen among the English-speaking people must depend.

I may add that to the young lawyer, to the aspiring statesman, and to the young theologian as well, nothing can be more valuable, no matter whatever labor it may cost, than a perfect acquaintance with those specimens of his forensic reasoning, which have been recorded, and which may be found in any respectable library. Of such productions, Dr. Samuel Johnson exclaimed, "They are bark and steel to the mind."

In maintaining the rights of juries in the great case of the Dean of St. Asaph's, Lord Campbell declares, "Erskine's addresses to the court, in moving, and afterward in supporting, his rule, display beyond all comparison the most perfect union of argument and eloquence ever exhibited in Westminster Hall."

Of his speech in defense of Stockdale, said the *Edinburgh Review:* "Whether we regard the wonderful skill with which the argument is conducted—the soundness of the principles laid down, and their happy application to the case—the exquisite fancy with which they are embellished and illustrated—

or the powerful and touching language in which they are conveyed, it is justly regarded by all English lawyers as a consummate specimen of the art of addressing a jury." "By these merits it is recommended to lovers of pure diction—of copious and animated description—of lively, picturesque, and fanciful illustration—of all that constitutes, if we may so speak, the poetry of eloquence." The jury ignored the instructions of the court, and acquitted the prisoner.

His speeches in behalf of Frost, in behalf of Bingham, in behalf of Marklam, are the sure foundations of enduring fame. "Nor," said Lord Brougham,—himself a great judge of eloquence,—"nor let it be deemed trivial, or beneath the historian's province, to mark the noble figure, every look of whose countenance is expressive, every motion of whose form graceful, an eye that sparkles and pierces, and almost assures victory. Then hear his voice of surpassing sweetness, clear, flexible, strong, exquisitely fitted to strains of serious earnestness, * * * but wholly free from harshness or monotony. * * * His argumentative powers were of the highest order, clear in his statements, close in his applications, with a quick and sure perception of his point, and undeviating in the pursuit of whatever established it; endowed with a nice discernment of the relative importance and weight of different arguments, and the faculty of assigning to each its proper place."

Than Erskine, no man made fewer mistakes in the conduct of his cause. Never would he have committed the blunder of Lord Denman, when after his magnificent peroration in defense of Queen Caroline against the cruel persecution of

her husband, George the Fourth, in vindication of her womanly honor, in anti-climax he finally implored for her the compassion accorded to Magdalen.

That Erskine had his detractors is true. To one of these critics, who was recounting to Chief Justice Kenyon some of the envious animadversions of Westminster Hall, Lord Kenyon replied, "Young man, what you have mentioned is most probably unfounded, but these things, even if they were true, are only spots in the sun! As for his egotism, which they are so fond of laying to his charge, they would talk of themselves as much as Mr. Erskine does of himself, if they had the same right to do so. His nonsense would set up half a dozen of such men as run him down."

In his idle moments he was one of the most playful of men, and, like most great orators, a great conversationalist. He was often dashing off, and handing around to his brother lawyers humorous couplets. Mr. Justice Ashurst had a long, lanky visage, probably not unlike that which Cervantes has ascribed to the "Knight of the Melancholy Countenance." Of him Erskine wrote:

> "Judge Ashurst, with his lantern jaws,
> Throws light upon the English laws."

Observing upon how much confidence in speaking was acquired from habit and frequent employment, a barrister named Lamb remarked, "I don't find it so, for though I have a good share of business, I don't find my confidence increased; rather the contrary." "Why," replied Erskine, "it is nothing wonderful that a Lamb should grow sheepish."

In that class of cases—too frequent then as now—in which the cruel and unprincipled, often, after many years of unselfish devotion and sacrificial service by the hapless victims, rive the bond of matrimony, lay waste the happiness of homes, and drive hope from faithful hearts, his indignant eloquence wrung from the jurors of England damages in the most astonishing punitive amounts. Maintaining that the conjugal rights he sought to vindicate, were incalculably more valuable than all property, and that no adequate return in money could be made, he was constantly awarded verdicts in pounds sterling, amounting to twenty-five thousand, forty thousand, and even fifty thousand dollars.

In such cases, scenes of domestic endearment and felicity, which had been blotted from existence, were described with the utmost delicacy and tenderness, and with the most fiery indignation was his invective directed at those who had ruthlessly invaded and destroyed them. In the case of Dunning versus Sir Thomas Turton, where a loving husband was the victim, Erskine depicted the emotions of the agonized soul in colors which will endure forever. He pronounced the passage from Othello with the irresistible effect of his musical accents: "But oh, what damned minutes tells he o'er,—who dotes yet doubts, suspects, yet fondly loves." And continuing he exclaimed, "When suspicion is realized into certainty, and his dishonor is placed beyond the reach of doubt, despair assumes her dominion over the afflicted man, and well might he exclaim from the same page:

"'Had it pleased Heaven
To try me with affliction; had He rain'd
All kinds of sores and shames on my bare head;
Steep'd me in poverty to the very lips;
Given to captivity me and my utmost hopes;
I should have found in some place in my soul
A drop of patience. But alas!'"

He stopped, and the effect in sympathetic tears was visible in every eye in court.

It may be well for those who aspire to high rank in advocacy to reflect that Erskine, who ordinarily spoke extemporaneously, wrote down word for word those famous and rhythmical periods in his great speeches, since regarded as the rarest jewels of forensic eloquence. And it is true, ever true, that no permanent effect is made upon the minds of men by public speech, save as the result of careful thinking and generally much careful writing. Cicero declared that he who undertakes to instruct an audience without first instructing himself, is guilty of impudence. After Sheridan's death, from his commonplace books it was discovered that those marvelous witticisms, with which he had charmed his contemporaries, had been deliberately considered, written out, rewritten, and rearranged, so at the proper time to produce the most captivating effect of original and spontaneous humor. Lord Bacon declared that "Reading maketh a full man; conference a ready man; and writing, an accurate man." It is true that there are a few men, with amazing powers of self-concentration who can think out almost verbatim the discourses with which they will charm, persuade, or convince. Such a one was our own Ben Hill of Georgia. In my college days I have seen him sit for hours in rapt self-absorption wholly oblivious of the conversation of his family and the varied sounds of

the household. In a few days, perhaps the next day, the result of this intense thought would appear in a powerful discourse before some great popular gathering, in lucid but unanswerable argument on some intricate legal topic, in an irresistible appeal to a jury, in which he was scarcely surpassed by Erskine himself, or in those "Notes on the Situation of Reconstruction Times," which imperiously demanded that a prostrate and despairing people should recall their ancient thoughts from banishment. The late Justice L. Q. C. Lamar once told me that it was his habit to think out with precise verbal accuracy the speech he designed to make, and then to write it out literally as he had thought it out. The task would seem impossible, but no man can question the intellectual honesty, or the accuracy of that great son of Georgia.

The variety and brilliancy of Erskine's talents for advocacy are demonstrable by his conduct of the case of Hatfield. Here an old soldier had fired a pistol point-blank at the King. The defense was insanity. He began in a subdued and solemn tone, appropriate to the iniquity of the crime. It is said that his address on this occasion reminds a classical reader of the mild beauties of the Odyssey contrasted with the fire of the Iliad. The power of the advocate converted in a few hours from despair to triumph, a case that seemed utterly hopeless, and notwithstanding the zeal and prejudice of the lawyers for the Crown, and the preconceived opinions of Lord Kenyon, the rugged honesty of the fearless judge stopped the case and directed an acquittal.

In his majestic defense, and glorious victory, in behalf of the liberty of the press, Erskine reached

the highest summit of his fame. With but two exceptions he always appeared as the champion of the accused. His deep religious feeling prompted him to accept a retainer to prosecute Tom Paine for his blasphemous publication of the second part of the "Age of Reason." He had previously, and in another case, defended this erratic and brilliant man to his own great detriment, but he now displayed a strong sense of religion, without which the highest achievements in eloquence are utterly unattainable. "The people of England," he said emphatically (as, thank God! we may say of the people of America), "are a religious people, and with the blessing of God, so far as it is in my power, I will lend my aid to keep them so."

But I may not detain you. I have said enough—perhaps more than enough—to indicate where you may find the deep waters of this well of English undefiled. Well may we paraphrase the rare and ancient verse:

> "Some strains of eloquence, which hung
> In ancient times on Tully's tongue;
> But which, conceal'd and lost, had lain,
> Till Erskine found them out again."

Elevated to the Lord Chancellorship, the majesty of the station was dwarfed by the renown of the advocate, and yet of all of his decisions but one was questioned, and that was on appeal confirmed by the House of Lords. Some idler having wagered a case of wine that his decrees had been reversed, had the impertinence to write him a direct inquiry on the subject. The reply is interesting:

Upper Berkeley Street, Nov. 13, 1819.

Sir:—You have certainly lost your bet on the subject of my decrees, none of which, but one, was appealed against, upon a

branch of Mr. Thelluson's will, but it was affirmed without a dissentient voice on the motion of Lord Eldon, then and now Lord Chancellor. If you think I was no lawyer, you may continue to think so. It is plain you are no lawyer yourself; but I wish every man to retain his opinions, though at the cost of three dozen of port.

P. S.—To save you from spending your money upon bets you are sure to lose, remember that no man can be a great advocate who is no lawyer. The thing is impossible.

In view of this noble life, now so imperfectly depicted, will you not, my young friends, who will soon be endowed with the powers and privileges of his noble profession, seek to emulate the lofty accomplishments, the patriotic labors, the unselfish and fearless sacrifices of its accomplished chief. Believe not the self-satisfied and self-magnifying owls of our profession who, content to hoot undisputed things in such a solemn way, are prone to declare, that the day of the forensic orator is over. More than ever before in the annals of representative government, and in the history of public justice, is the genuine and eloquent advocate vital to liberty and social order, and whenever that day shall come when freemen are heedless of him whose "weighty sense flows in fit words of heavenly eloquence," worship freedom as we may, even among its votaries, free government will perish.

Far from the scene of his triumphs, in Westminster Hall, the sacred ashes of our illustrious and incomparable leader repose in the ancient family vault, "where Scotia's grandeur springs." In the greatest city on earth a statue stands to his honor in Lincoln's Inn Hall. In historic Holland House, whose high-born inmates through successive generations have consecrated their hereditary powers to the maintenance of liberty and the con-

fusion of intolerance, there stands a bust of him, with the noble inscription, "*Nostrae eloquentiae facile princeps.*" Long may these marble memorials endure, but after they have crumbled to dust, and while the language of his matchless forensic orations survive, therein gleaming with unfading lustre will remain unimpaired by the rolling years, imperishable monuments of his eloquence and power in defense of innocence and in advocacy of right.

And shall his mystic wand remain forever broken, shall his trophies moulder in the funereal silence of his tomb? May we not lift our eyes and behold the renaissance of that "Power above power of heavenly eloquence, that with the strong rain of commanding words, doth master, sway and move the eminence of men's affections." May it not be said of you, my young brethren, or to some of you, members of his own profession, in this land more favored than his, in its clime more congenial to free speech, on its richer soil, doubly consecrated to the genius of universal freedom, those shining words, which were said of him, and said of yore to Philip Sydney: "We listen, it is true, to others, but we give up our hearts to thee."

Joseph E Brown

FACING PAGE 227

THE LIFE AND TIMES OF JOSEPH EMERSON BROWN, WAR GOVERNOR OF GEORGIA.*

INTRODUCTORY REMARKS

Of Rev. Dr. W. H. Kilpatrick, President, upon the occasion of its delivery at Mercer University.

"LADIES AND GENTLEMEN: The pleasure which I have in naming the speaker of the occasion is an unusual one. I speak advisedly when I use the word 'naming,' instead of the word 'introducing'; for he whom we are to hear to-day needs no introduction to this audience. The subject chosen is a most happy one. We have to-day the very great pleasure of hearing an address upon one of the South's greatest statesmen of the past by her greatest orator of the present—a discussion of the *life and times of Joseph E. Brown,* by Judge Emory Speer."

ADDRESS OF JUDGE SPEER.

MR. PRESIDENT, GENTLEMEN OF THE BOARD OF TRUSTEES, LADIES AND GENTLEMEN:

It was the year 1840. The wooded summits of the Blue Ridge had put on their autumnal colors. These romantic mountains coming down from the

*Annual Oration, Commencement of Mercer University, Macon, Georgia, June 7, 1905; and one of the Lectures on the Storrs Foundation, at Yale University, New Haven, Connecticut, May, 1906.

lofty altitudes of the Appalachian range, and penetrating the northeastern section of Georgia, have an occasional depression. These a poet might term the mountain passes, but the mountaineers call them the "gaps." One, threaded by a rugged trail, connecting the county of Union on the north with Lumpkin on the south, is known as the Woody Gap. At an early hour of the day of which I speak, a slender and sinewy lad came steadily through this gap and down the Indian trail. He was driving, yoked together, a pair of young steers. Presently there followed another and a younger boy, mounted on a small horse, whose well-defined muscles and obvious ribs did not suggest a life of inglorious ease. In mountain solitudes there is little change. Now, as then, looking southward from the Woody Gap, the traveler may behold successive and lower ranges of billowy mountains, which together approach the sublime, and far beyond in shimmering loveliness stretching apparently to the infinite, the "ocean view" as it is termed, that "Piedmont country of Georgia," some day to afford sustenance to many millions of happy freemen. To the northward a more precipitous slope seems to terminate in a lovely mountain vale. Glancing through its luxuriant crops, and by its simple homes, the silvery waters of the Toccoa make their way towards the far distant Mississippi. The valley, like the mountain, is also little changed. Its homes have the same unpretentious character, its people the primitive virtues of the old American stock. The shriek of the locomotive, and the roar of the railway train, to this day, have not penetrated the sylvan settlement. No village is there. The valley, like

many another locality in our mountains, after the fashion of the Cherokees, is called a "town." There is "Brasstown," and "Fightingtown," and across the Tennessee line, "Ducktown." This is "Gaddistown," and thence from a rude log cabin that day had departed the boy who was driving the steers, to become the only man who, in all the history of our State, was for four successive terms its Governor, a State senator, a Judge of its Superior Court, a Chief Justice of its Supreme Court, and twice its representative in the Senate of the United States. That boy was Joseph Emerson Brown.

The lad was of Revolutionary stock. Another Joseph Brown, his grandfather, at Camden, King's Mountain, and other fierce combats, had made proof of his devotion to liberty. The father of the lad was Mackay Brown. Shouldering his rifle in the War of '12, he had followed "Old Hickory" to New Orleans, and joined the intrepid backwoodsmen of his type, whose deadly aim had mown down the veterans of Packenham in one of the bloodiest defeats ever sustained by a British army. None but the brave deserve the fair, and returning from the wars, Mackay Brown was soon happily married to Sally Rice. From this union of youthful valor, strength, and virtue eleven children were born. The eldest of these was Joseph E. Brown. It is charming to reflect that his parents survived to witness the civic triumphs of their illustrious son, and after the great war to receive from his filial love in their old age a comfortable and indeed abundant provision for their every want.

His boyhood was not wholly uneventful. Said General Ira Foster, who was his lifelong friend

and who lived in famous Dahlonega, his market town: "Joe cultivated a little scrap of hillside land with a pair of bull calves, and every Saturday hauled to town some potatoes, cabbages, lightwood, or other truck, and took back something for the family." Ever full armed was the American backwoodsman, who was proficient with the rifle and the ax. The slender boy at an early age was master of both. More than once, when quite an old man, he spoke to me with obvious pride of his success at the shooting-matches for "beef," which even now are not unknown in the Georgia mountains. The contesting riflemen fire at a mark. The beef has been butchered, and it may surprise the uninitiated to know that it has been divided into five quarters. The fifth quarter is first prize. The old statesman in reminiscent vein would say: "Usually when my rifle cracked some bystander would exclaim, 'There goes the hide and tallow.' " It is no exaggeration to add that in later years many of his political opponents, after their matches with him, discovered that they had also been deprived these important integuments. While excelling beyond his strength in the manly exercises of youth, the boy did not deem it beneath his dignity to lighten the labors of his mother. Many a day, when it rained, he stood at the spinning-wheel and skilfully spun the thread from which the clothing of the family was woven. When Senator from Georgia, he was conducting a number of Northern manufacturers through the halls of the Cotton States Exposition. An exhibit was reached where the primitive spinning-wheel was contrasted with the latest mechanism for the manufacture of thread. In reply to some disparaging remark

about the rude contrivance, the Senator said, "Very good thread can be made on the old spinning-wheel," and taking the place of the girl who was engaged in its operation, to the delight of the bystanders he demonstrated that his industrious hand had not forgotten the cunning which in days long gone had lessened the burdens of his mother. For education his early opportunities were very limited. I once met his first teacher, then a very aged man. He was a witness in a case of illicit distillation. To my surprise he informed me that Joe Brown, and Mackay, his father, went to school to him at the same time. He said, "Joe was the peartest boy I ever saw, and could work a sum accordin' to the rule quicker'n lightning could trim a hemlock." His estimate of Mackay's mathematical powers was not so encomiastic. To solve every problem, Mackay Brown had a rule of his own, and it seemed to me that the venerable instructor yet cherished a vivid resentment at the bewildering results. Such were the environments of the childhood of Joseph E. Brown. Save for the pure blood and strong brain of the unpretentious but historic stock from which he came, there was not in his day, in the remotest cove of the mountains, or in the humblest cabin of the wiregrass, a boy whose chances for distinction in life were less auspicious.

"Joe Brown," as the people ever loved to call him, was now nineteen years of age. He determined by education to unlock the strong native powers of the mind, of which he must have been conscious. There was little money in the humble cabin, but the untiring hands of his gentle mother fashioned him a homespun suit. The calves he

had reared and trained, his father gave him. The boy bade farewell to his loved ones, put a yoke on his patrimony that it might not take to the woods, and drove it up the familiar trail, and over many a rugged mile beyond, theretofore unknown to the footsore beasts, and their weary but resolute master. The destination of the young mountaineer was Calhoun Academy, in Anderson District, South Carolina. His journey over, the boy bartered his little steers to Maj. Aaron Broyles for five months' board. His first teacher was Pleasant Jordan, afterwards a distinguished lawyer of Little Rock, Arkansas. For his tuition he obtained credit. But soon his capital was exhausted, and in the fall of 1841 he returned to Gaddistown and taught school for three months. Thus he obtained money to pay his tuition debt and to continue his studies. His teacher now was the skilful and widely-known Wesley Leverett. His progress was all that the most exacting instructor could require. His strong thirst for knowledge and his native powers of application and mental labor astonished his experienced preceptor. Again his money gave out, but there was now no lack of friends to trust and encourage a lad with habits so admirable, and with such irresistible determination to excel. Beginning with his Gaddistown training, in two years this astonishing youth fitted himself to enter an advanced class in college, but for this he had not the means.

In January, 1844, now twenty-two years of age, he returned to Georgia and opened what was termed an "academy" in Canton, Cherokee County. As a teacher he was eminently successful. He opened his academy with six scholars, and

soon had sixty. By the end of the year he had made and saved enough money to return to South Carolina and repay every dollar he had borrowed. Ever believing with the Greek proverb that "toil is the sire of fame," in his academy days at Canton he had devoted his evenings and Saturdays to the study of law. This he continued during the year 1845. In consideration of his board, at the same time he acted as tutor for the children of his friend, Dr. John W. Lewis. In August, 1845, after an exhaustive examination he was admitted to the bar of the Superior Court. It is said that he answered but one question incorrectly. Even now he was perhaps better prepared for success in his profession than many who seek its opportunities, but the awakened soul of the youth was imbued with the loftiest ambition. He meant to be a great lawyer. He knew that to be a great lawyer he must possess and utilize that broad and liberal knowledge of jurisprudence which can best be acquired in a great school of law. Borrowing the necessary means from his devoted friend, Dr. Lewis, in October, 1845, he matriculated in the Law School of Yale College. Gratitude and fidelity to friends was a passion with Joseph E. Brown. The kindly patron of these struggling days lived to receive from the hands of his grateful protege the positions of Superintendent of the State Road, and Senator of the Confederate States.

The renown of the great school in which he was now a student has ever been co-extensive with the limits of our country. Then as now, probably a majority of its students were the sons of wealthy parentage. Then as now, its curriculum embraced two years of legal study. Then as now, a course

so extended and expensive was utterly impossible to men like young Brown, who, without means, were desperately struggling to secure the opportunities and privileges of the legal profession. There are indeed in our State to-day hundreds of young men qualified by nature to excel in the noble profession of the law, the talented sons of families whose all was swept away by the fiery tide of revolution, to whom a two years' course in a law school is not more possible than it was to the son of Mackay Brown. It was found, however, that the requirements of Yale could bend to the necessities of Gaddistown. More than once I had it from his own lips that in one year he mastered the studies and stood the examinations for the entire two years' course. He received his degree at Yale in 1846. He returned to Georgia, "hung out his shingle" at Canton, and began the practice of his chosen profession. So swiftly did he win the confidence of the people that in the first year, in that country of small fees, he made twelve hundred dollars. *Nulla vestigia retrorsum.* His income steadily increased. He not only made money, but he saved it.

His next step was not less interesting. Familiar with his Bible, he had doubtless read the conservative language of the experienced Solomon, "Whoso findeth a wife findeth a good thing." The year after his admission to the bar he was married in 1847 to Miss Elizabeth Gresham, a daughter of the Rev. Joseph Gresham, a Baptist minister of Pickens District, South Carolina. To the day of his death she was a noble helpmeet. Surely there is something mysterious, if not celestial in the infection or contagion which men term love. The

germs are everywhere, or anywhere—in the beauty of a flower whose loveliness is paled by the snowy breast it would adorn, the fragrance of a dainty note, the flutter of a ribbon, the frou-frou of a silken skirt. This mysterious influence, whatever it is, attended the meeting of Joe Brown and his future wife. When a happy old lady, and memory brought back the features that love used to wear, she told me that her father lived in the country and that the young lawyer came to his house. He was riding a gray horse, she said, and asked lodging for the night. She saw him as he entered, and we may presume, with maidenly modesty, withdrew to the kitchen. There some member of the family asked her who he was. She said that she at once replied, "I never saw him before and don't know his name, but he is the man I am going to marry." The union was indeed felicitous. Unsurpassed in the duties and devotions of the wife, and of mother to her many children, her gentle nature tempered the stern combativeness of the man and contributed to train him in the placid courtesy which in later life often disarmed his enemies, often won them as recruits to the army of his friends. For many years she was his amanuensis. His writing, like that of many great men was laborious and at times well-nigh illegible. Hers was clear, fluent, and graceful. For centuries it is possible that in the archives of Georgia will be found State papers written by the husband in the crisis of our history, and recorded for posterity by the hand of the wife. When Chief Justice, it was his custom to write in an upper room of his dwelling his great opinions, and as the successive pages were completed, from the head of the stairs

he would drop them to the floor below, and in intervals stolen from household or social demands, these she would swiftly and accurately copy. Well did the life of this unpretentious and lovely woman confirm the philosophy of Euripides, "Man's greatest possession is a sympathetic wife."

The young lawyer was astonishingly successful. To the oratory of the schools he made little pretention. There is, however, an oratory, or more correctly an eloquence, which is often quite as effective. It is found in conciseness, simplicity, clearness of language, mastery of facts, and in the skill and ingenuity with which these are presented in order to persuade or to convince. This eloquence he had in rare excellence. Imperturbable, dead game, and relentless, he was a terror to his adversaries and as successful with the juries as with the courts. The same faculties were utilized in the broader arena of debate to which he came in his later successes. One such instance I heard in a contest he had with Senator Mahone. It seemed that the Virginian had impugned his disinterestedness because he was president of a railroad company. The reply of the Georgian was as crushing as characteristic. "The Senator from Virginia," he said, "tells this body that I am president of a railroad company. The charge is true. That company, let me say, is in a high state of prosperity. So good are its securities that none of them are on the market. It pays handsome dividends, and is rapidly increasing in value. The Senator from Virginia, I am told, is also president of a railroad company, and that company is in the hands of a receiver."

Admitted to the bar as we have seen in 1846,

in 1849 his serious political career began. Having received the Democratic nomination, he was elected to the State Senate in a district composed of the counties of Cherokee and Cobb. But this was not the first evidence of his strength with the people. While yet a boy he strolled over to what is called the "law ground" in Gaddistown. An election for bailiff of the militia district was in progress. The opposing candidates were not satisfactory. The electors discovered the lad as he approached. "Let's elect Joe," some one said, and by a large majority it was promptly done. The legislature of 1849-'50 contained many distinguished men. Despite his youth, Senator Brown was now practically the leader of the Democrats. The courtly and scholarly Andrew J. Miller of Richmond County was undoubtedly the leader of the Whigs, and it was not long before he declared, "Joe Brown will yet stamp the impress of his greatness on the future history of the State."

The entry of Joseph E. Brown into the politics of Georgia was the beginning of a new régime. Theretofore, with rare exception, men of wealthy families and ancient social prestige, of polished manners, with all the advantages of collegiate and general culture, had dominated the State politics and borne off the honors within the gift of the people. It may be easily conceived that at this period of his life Senator Brown had little encouragement from men of this exclusive and somewhat inperious class. Many were the witticisms leveled at his agricolous appearance, and at the rustic vocabulary of his constituents, which even to this day betray much of the language of Shakespeare, and much of the language of Chaucer. Years

afterwards, in a great speech before the General Assembly of Georgia, he gave his own conception of the attitude of this once dominant class toward him. "There is a class of people in this State," he said, "whose fathers a generation or two back possessed either wealth or distinction. They or their descendants were large slaveholders and they were usually classed as the aristocracy of the South. They are sometimes termed by the common people, the 'kid-glove aristocracy.' Either fortunately or unfortunately for me, I never belonged to that class. I had to work my own way in the world. I was brought up among the working-class, rose from the mass of the people. They took me by the hand and sustained me because they believed I was true to them, I was one of them, and they have never forsaken me in any instance where the popular vote could be heard."

Returning from the Senate, the Honorable Joseph E. Brown entered upon the active practice of the law, but in the fall of 1855 he was nominated and elected by the people as Judge of the Superior Court of his circuit. In this station his career was most remarkable. Indeed, no other under government is so vital to the public welfare. The judge of that great court, having general jurisdiction, can become the most sovereign agent of reform, or the most insidious and baleful protector of immorality, of vice, and of dangerous crime. Judge Brown measured fully up to the obligations of this lofty station. He commanded order in the court-room. He quietly enforced the most rigid discipline. He dispatched business rapidly. He held discursive counsel to the point and stopped them when he had heard enough. His

judgments were promptly and decisively made. To this day in the Blue Ridge Circuit very old men declare that Joe Brown made the very best judge they ever had. At times, it is true, he had to repress the familiarity of his political supporters. His valuable friend on election day was Bob Ralston, a famous character of Gilmer County. Presuming upon his services, Bob bet a friend a pint of apple brandy that he (Bob) could with impunity go into court and give "Joe Brown" the Masonic sign. While not a Mason, Bob conceived that he had detected and acquired one of the most important signals of that ancient order. This was a snap of the finger and at the same time a wink of the eye. Bob repaired to court, leaned against the bar, caught the attention of his honor, snapped his finger, and winked his eye. "Take that gentleman to jail until he cools off," was the unappreciative response from the bench. The next morning the resentful Bob made the streets of Ellijay vocal with denunciations of the ingratitude of men in high places, but his knowledge of the secrets of Masonry thenceforth was *coram non judice*. Our judges in those early days did not always have the conventional instrumentalities for the enforcement of law. On one occasion Judge Brown convened court in one of the new mountain counties. There had been no time to build a court-house, but a rude log structure had been hastily erected. The court was convened with the accustomed solemnities, and pretty soon discovered that the county bully was drunk. His screams and curses quickly attracted the attention of the Judge, who quietly said: "Mr. Sheriff, arrest that man who is creating a disturbance and bring him before the court." The sheriff

with several stalwart deputies dragged in the offender. The Judge ordered the prisoner to jail. "Why, your honor," said the sheriff, "we have got no jail." "That's a fact," said the Judge, "but have you no house where you can secure him?" "There is not a house in the town," was the reply, "that he won't kick out of in five minutes." At this moment a little man in a drab suit, which betrayed the Quaker, arose among the audience and with deferential manner addressed the court. He said, "May it please your honor, I am a miner. I have been prospecting for copper near the village and I have run a tunnel some three feet in diameter and thirty feet deep into the bank on the side of the road, down near the creek. The tunnel is dry, and I think that your honor might direct the sheriff to put the gentleman in there." "Why, that's a good idea," said Judge Brown. "Mr. Sheriff, put some straw in the tunnel so that the prisoner can sleep off his drunk without taking cold; haul a load of rails there and stop him up safely until to-morrow morning." It was accordingly done.

Judge Brown was now thirty-six years of age. The time had come for the lad from Gaddistown to step forth into the limelight of lofty civic station. Ever cherishing and loving the people among whom he was reared, and who supported him in his early struggles, he was now to leave them to return no more. On the 19th of June, 1857, while binding wheat on his farm in Cherokee County, he received the Democratic nomination for Governor of Georgia.

The opponents of the Democrats in that day called themselves the American party. By the

Democrats they were called "Know Nothings." They had a secret organization, of which they would not speak, and when asked about its ritual, a member would say, "I know nothing." This party nominated as its candidate for Governor that illustrious Georgian, Benjamin H. Hill. As a popular orator, there are many who doubt whether America has ever produced the superior of that great man. It has been the privilege of the speaker to hear many of his famous contemporaries, but not one with such irresistible power of persuasive and compelling speech. No man can be a great orator who is not a good man, and Mr. Hill was as good as great. With such an opponent the Democrats were much perturbed. Their apprehensions were soon discovered to be groundless. The joint discussion between the candidates began at Newnan. In the first speeches it is related that Mr. Hill had much the advantage, but Brown rapidly found himself. He talked in simple style, but his words went home. No matter how cruelly he was wounded by Mr. Hill's cutting invective, he never winced. The plain people would carry home with them the shrewd and homely philosophy of the mountain candidate. This was often expressed, no doubt with purpose, in their vernacular and dialect. A famous expression of Brown which doubtless changed many votes is still recalled. "I confess," said he, "that Mr. Hill is a great orator, but he lacks judg*ment.*" The opponents of Brown made fun because in honor of his nomination his lady friends in Cherokee County had made him a calico bed quilt. This was bad politics, for most of the voters reposed under quilts of that material.

Seventeen years after the day when we found the Gaddistown boy driving his little steers through the Woody Gap, by a majority of more than 10,000 over his renowned opponent, he was elected Governor of Georgia. A new era now began in the State. Coming directly from the plain people, it was soon perceived that the young Governor meant to protect his constituency against many dominant and damaging influences. He had no particular reverence for great families, or great names. The frowns of the mighty affected him not at all. His inauguration in 1857 is perhaps remembered by some who hear me. His inaugural address was brief, but with a few quiet words he gave to lawless financiers a shock which made them quiver. "In the midst of prosperity," he said, "our banks have generally suspended specie payment, resulting in panic, broken confidence, and general stagnation in commerce." He then grimly observed that in his judgment the suspension was unnecessary, and that he should at once begin proceedings under the law to forfeit bank charters. Neither threats nor prayers moved him. It is true that by a two-thirds majority a bill was passed by the Legislature suspending forfeiture proceedings against the banks for one year. The Governor wrote a veto message which was a brave appeal to the people. The substance was that private citizens had to meet their obligations; banks should do so. To the amazement of the bank advocates, the people of the State almost to a man came swiftly to the side of their Chief Executive. In other matters of utmost importance, his administration was accorded by the people equivalent approbation. In the next convention of his party,

after a whirlwind of that laudatory eloquence with which Georgians have ever been gifted, he was unanimously nominated to succeed himself, and at the polls over Warren Akin, nominee of the American party, he obtained more than double the majority of his first election. In religious faith the Governor ever adhered to the church of John Bunyan and Roger Williams. Among the many statements published by his opponents with a view to his injury, one was that he had packed the offices of the State Road with his Baptist friends. A statistical Baptist rushed to his defense. It appeared that among the employes there were seven Lutherans, eight Episcopalians, fifteen Catholics, thirty-one Presbyterians, fifty-seven Methodists and only seventy-seven Baptists. Well might the Governor have said with Warren Hastings, "When I reflect upon my opportunities, I am astonished at my moderation."

It is well known that with the War between the States Governor Brown's second administration will be forever identified. That there were strong divisions among the people of the State is well known. That he favored secession is also well known. While supporting Breckinridge, absorbed with gubernatorial duties, he had taken little part in those furious debates which resulted in the Iliad of our woes. At the time he seems to have been much more busily engaged with caring for the material and moral interests of the State, and with his efforts to compel the banks to resume specie payment. But while the mountain Governor had done little in the throes of the revolution born in the secession of Georgia on the 19th of January, 1861, from that time on, in his mobilization of Georgia's

military forces he rivalled Carnot, whom Napoleon termed the "organizer of victory." He had previously taken Fort Pulaski, commanding the mouth of the Savannah River. He now seized the United States arsenal at Augusta. The latter station was under the command of a Captain Elzey. The Governor himself was present at the surrender. It is related when the Stars and Stripes were hauled down that refreshments were ordered. It is probable that these preceded the following memorable and feeling, but under the circumstances somewhat ambiguous, sentiment proposed by the gallant Colonel Henry R. Jackson: "The flag of stars and stripes, may it never be disgraced while it floats over a true Southern patriot." Governor Brown, while not drinking wine, with his accustomed suavity proposed a toast to Captain Elzey, in which he paid that officer a merited and generous compliment. It is probable that the Governor was in a complimentary vein, for the Federal officer had just surrendered a large quantity of fine ordnance—two batteries of twelve-pound howitzers, two other cannon, twenty-two thousand muskets and rifles, most of them of superior make, and heavy stores of powder, grape and other ammunition. But if the Governor was decisive in his bearing toward the United States, his conduct toward Union men in the section of Georgia from which he came was marked by a gentle diplomacy which a Talleyrand could not have surpassed. The spirit of devotion to the Union was ardent in the county of Pickens. There a United States flag was raised and kept floating even after secession. This was in bold defiance of the Confederate authorities. Many appeals were

made to the Governor to send troops to cut it down. "By no means," said he, "let it float. It floated over our fathers and we all love the flag now. We have only been compelled to lay it aside by the injustice that has been practiced under its folds. If the people of Pickens desire to hang it out, and keep it there, let them do so. I will send no troops to interfere with it."

Indeed, to his untiring energy, his foresight, and sagacity may justly be ascribed the fact that Georgia sent out 30,000 troops armed by the State. No other State in the South sent so many armed troops to the Confederate Army.

Responding to a strong demand from the people, Governor Brown now became a candidate for a third term. He was not to be without opposition. A convention was at once demanded, but many counties called meetings and by resolutions refused to send delegates. However, the convention met. It had delegates from only fifty-eight out of the one hundred and thirty-two counties. Judge Eugenius A. Nisbet received its nomination. Here was a foeman worthy of the Governor's steel. Indeed, Governor Brown had the good fortune never to run against an unworthy man. Notwithstanding his vast public services, the effort to defeat him was tremendous. The State press, almost solid against him, was unsparing in its assaults. He refused to make any canvass. One short and moderate paper he issued. "It is insisted," said he, "that it has not been the usage for the same person to hold the office of Governor for three terms. This is certainly true. And it is equally true that it has not been the usage for Georgia to have in the field 30,000 troops called

out by the Executive, whose duty it is to know when, and with what preparation, each company went to the field, what had been supplied to them, and what they lack. Whether the public good requires that he who conducted these affairs from the beginning, should retire in the midst of them and give place to a new man, who has yet to learn the condition of the financial affairs of the State, and the location and necessities of our troops, is a question which the farmers, merchants, and mechanics of our State are, I think, as competent to decide at the ballot-box as a few politicians and political aspirants are to decide in caucus at Milledgeville." The precedent of a century was overruled. His majority over Nisbet was 13,691.

At this time the influence of Georgia with the Confederate Government was not commensurate with the great power of the State, nor with the enormous exertions it had made for the Confederate cause. Mr. Stephens, Vice-President, had early and decided differences with Mr. Davis. Since neither would yield, the Vice-President was practically eliminated. Many of our most famous leaders, such men as A. R. Lawton, Howell Cobb, T. R. R. Cobb, A. R. Wright, Henry L. Benning, Alfred H. Colquitt, and Robert Toombs had entered the army and were generals on the firing-line. It followed that to Governor Brown was relegated the duty of protecting the rights of the State from what he and thousands of the people deemed the unconstitutional legislation of Congress.

The Conscription Act of the Confederate Government was passed in April, 1862. Most unwisely it exempted from its operation men who owned or worked twenty negroes. Then for the

first time poor men who did not wish to enter the service were compelled to do so. Then for the first time was heard the cry, a "rich man's war, and a poor man's fight." Certainly in Georgia there was no occasion for a conscript law. The vast majority of our volunteers were not slaveholders. Said "Bill Arp" in an article published not long before his death: "Out of every hundred soldiers who volunteered to defend the Southern cause, eighty-five of them had no interest in the negro. The proportion of non-slaveholding privates was indeed much greater, for few of them were made officers." The same famous writer states, "I know of one company of eight-five good men from Murray County without a slaveholder among the privates." The last call made on the Governor before the conscript law itself was enacted was for twelve regiments. He promptly furnished eighteen, and he stated that he could have raised fifty if Mr. Davis had called for so many. Now all was changed. Not only were Georgians to be conscripted, taken from their homes and organized into companies, regiments, and brigades, but the men who were to command them, who were to look after their sustenance when they were well, who were to look to their nursing when they were ill, and on whose judgment and discreet military conduct they were to rely in the deadly press of battle, might be wholly unknown to them. The native American is a fighting man of no mean effectiveness, but the very nature of his institutions has trained him to demand that he shall, whenever possible, be permitted to know the men on whose judgment and courage, whose kindliness and sympathy he is driven to rely in the

awful fortunes of war. While the Governor obeyed the various conscript laws, it was not without sternest protest against their impolicy, and their unconstitutionality. Nor was he less determined in his insistence on the right of Georgia to name the officers who were to command Georgians. In all of these contentions he had the unswerving support of such great lawyers and statesmen as Alexander and Linton Stephens, William Dougherty, and Robert Toombs.

When on November 6, 1862, the legislature met, it might have ascertained that Georgia, inspired by the gigantic energy of her Executive, had exhibited the most astonishing military potency. To the field she had sent 75,000 men. In the mean time, the Confederate Congress had passed an additional act extending the conscription so as to embrace all men between thirty-five and forty-five years of age. Governor Brown immediately wrote Mr. Davis that since this would disband the militia of Georgia, he would not permit enrolment under it until the legislature met and acted on the subject. The legislature was now in session and did nothing but debate. However, for the courts two cases were made. The Supreme Court sustained the constitutionality of the law, but it also held that the officers of the State were not subject to conscription. It followed that from Chief Justice to constable there was an instant increase in the desirability and dignity of State offices.

On the 18th of November the election for Confederate States Senator came on. Herschel V. Johnson, one of the most ardent opponents of the conscription law, was a candidate. Mr. Whittle, of Bibb County, raised the question of his attitude

relative to conscription. But on the second ballot, having received one hundred and eleven votes, this great Georgian was elected. At that time General Toombs, who had resigned from the Confederate service, and now commanded a mounted regiment of State troops, was also a candidate. One of his military family, Mr. John White, of Athens, once gave me rather an amusing account of the General's conduct on this occasion. He left camp in the full uniform of his rank, and went up to Milledgeville, where the legislature was to vote. A day or two later he came back clad in the full senatorial costume of the ante-bellum days, comprising in part a broad-brim stove-pipe hat, a broadcloth shad-belly coat, a gold-headed cane, and an enormous watch fob. Besides his attire he was additionally a little disguised. When asked the result of the election, he hotly replied: "Johnson was elected. The —— fools thought they were voting for Andy Johnson."

The war had now been in progress less than two years, and appalling indeed was the mass of suffering among the people. To relieve this, Governor Brown devoted his utmost energy. Two and a half millions of dollars had been distributed between the two sessions of the General Assembly. There were 84,119 beneficiaries of this fund. Of these, 45,718 were children who had been deprived of their protectors and support; 22,637 kinswomen of poor men who were at the front; 8492 were the orphans; and 4003 the widows of deceased or killed soldiers. Besides, 550 were helpless soldiers disabled in service. Nothing could be more eloquent of the awful magnitude and fearful destructiveness of that terrible revolu-

tion. Indeed, no man did so much as our War Governor to furnish not only the people at home, but the troops at the front, with clothing and shoes, with provisions and with salt. This was not only from the public appropriations, but from his private means. It is related that in March, 1863, a gentleman followed him to his farm in Cherokee County. As he neared the farm he overtook a caravan of wagons, and crowds of people walking, going in the same direction. When he arrived, he found a multitude of others, and the Governor in person engaged at his corn crib in giving away $4000 worth of corn and shucks from his own supplies, in proportion to their necessities and the size of their families, to the poor people of the county.

By this time the biennial election of 1863 was approaching. The long strain upon Governor Brown had been tremendous. More than once during his term he had been very ill. It was his wish to retire from the gubernatorial chair, but the people would not permit it. Distinguished officers at the front wrote to him that his continuance in office was indispensable. In response to the popular demand, from a stern sense of duty, and again without a nomination, he again became a candidate. The *Atlanta Gazette* nominated ex-Senator Joshua Hill, and the *Milledgeville Recorder* put up Honorable T. M. Furlow. Governor Brown day and night toiled in the executive office in Milledgeville, and left his canvass to take care of itself. In bitterness the campaign equalled any of the others. But such a renowned paper as the *Mobile Register,* edited by the famous John Forsyth, declared: "We look upon Mr. Brown as

a model War Governor, a veritable Stonewall Jackson among the State executives." What Georgia thought of him was in evidence when the polls were closed. He received 36,558 votes, more than doubling the vote of Joshua Hill, and more than trebling the vote of Furlow. He had a majority over both of 8312. There was an army vote in seventy-three Georgia regiments at the front. It aggregated 15,223. Of these Brown received 10,012.

Would that I knew, and yet I scarcely dare picture, how and where that soldier vote was cast. On what ensanguined field, by what historic streams? Were the polls opened on the rushing Rapidan or by the sullen Chickamauga? Oh, where did the gaunt and ragged Georgians vote? Was election music or election banners lacking? No. The one was the hiss of the Minies and the thudding of the guns; the other, the shell-riven fragments of that banner whose story "sung by poets and by sages shall go sounding down through ages." Campaign documents, were they lacking? No, by the thousands they were there, carefully cherished in jackets of gray. Letters from home they were. They told the story of suffering wives, and starving children, but also they told how the messenger from the Governor had brought bread and clothing to aged parents, to wives and little ones. And that Governor, the soldiers shrewdly knew, had also furnished the threadbare clothes they wore, the thin blankets looped across their broad shoulders, the best he could get; aye the very arms they bore, and thickly fell the votes of Georgia boys for the boy from Gaddistown. Piteous is the story told by that soldier vote—in

all only fifteen thousand. One hundred and twenty thousand of her youth and manhood had Georgia given to the red-cross flag. Where were they now? Pallid and suffering prisoners of war. Agonized with wounds and with disease in the crowded wards of dreary hospitals. How many are sleeping in the gloomy shades of the Wilderness; how many under the crumbling ramparts of Vicksburg; what multitudes on the fateful slopes and amid the battle-riven rocks of those heights of Gettysburg, from whose gory summits, the high-water mark of the Confederacy, had recoiled the wave red with the blood of heroes? Where'er thou sleepest—

"Rest on, embalmed and sainted dead!
Dear as the blood ye gave;
No impious footsteps there shall tread
The herbage of your grave.

Nor shall your glory be forgot
While Fame her record keeps,
Or Honor points the hallowed spot
Where valor proudly sleeps."

Since first the morning stars sang together, no greater tribute of fidelity to duty, of humanity to suffering, of faithfulness in all things, has come to mortal man than the confidence and love recorded by that immortal remnant, Georgia's soldier vote.

Despite his absorbing executive duties in those famous days, Governor Brown was not indifferent to the moral and spiritual status of the people. He found time that year to attend and take part in the deliberations of the Baptist biennial convention which met in Augusta, and took part then in a great debate between Dr. Broadus and Dr. Boyce. He

also aided in the distribution of religious literature among the Georgia troops—literature whose unbending orthodoxy, we may be sure, was not inharmonious with the teachings of that great denomination of which he was ever a devoted member.

At the close of 1863 the western army of the South lay crushed and demoralized at Dalton. The ill-fated Bragg, ever a favorite in Richmond, had been forced by public opinion to withdraw from his command. That incomparable organizer and master of defensive warfare, General Joseph E. Johnston, was appointed to succeed him. Instantly his reviving influence upon the broken and shattered brigades, which had been driven pell mell from Missionary Ridge, was felt throughout the South, and was observed by the Northern commanders. While the army was in winter quarters at Dalton its morale was completely restored. Each brigade vied with all the others in the performance of every military duty. The soldiers were well fed and carefully re-clothed. Drills and manœuvres with large bodies, now so common in European armies, were utilized by General Johnston to familiarize the rank and file with extensive operations, and to kindle anew their confidence in themselves. The spirits of the troops were raised to the highest pitch of warlike enthusiasm. Well do I recall that a comrade in that glorious brigade afterwards said to me that he heard General Johnston exclaim, "If any command in the army can beat the brigade drill of Lewis's Kentuckians, it can beat Hardee's tactics."

The campaign in north Georgia which General Johnston conducted in 1864 is worthy to rank with

the campaigns of Fabius. General Sherman had 98,797 men, and 254 cannon. This was more than double the strength of the Confederate army opposed to him. That army was the last hope of Georgia, and of the South. Should it be destroyed, the State would be overrun, the surrender of Lee, and the downfall of the Confederacy, but a question of time. The policy of General Johnston was to shelter his army, draw Sherman away from his base of supplies, interrupt his communications, inflict upon his adversary losses as heavy as possible, and when he had reached the great entrenched camp constituted by the fortifications of Atlanta, to hold this with the State troops and a slender force of his own veterans, mass his army, assail the flank of his enemy, and like Stonewall Jackson at Chancellorsville, roll the opposing lines in a sheet of flame to their destruction. Never was an army handled with more consummate skill. Never did a retreating army have more confidence in its power to defeat the enemy when its General should order the attack. When an order to retreat was given, the retirement was conducted with a defiant composure, and with an insolent fronting to the rear which was a little short of military insult. It was a common saying of the day that Johnston would form a line of battle if a wagon broke down. In no case from Dalton to Atlanta were his lines broken. For seventy-four days he was fighting an army double his own. He lost in killed and wounded 9,450 men and inflicted on Sherman a loss of more than 42,000 men. When the fateful and fatal order came from Mr. Davis for his removal from command, he turned over to General Hood a seasoned army of 50,627 veterans, with a

morale as high as that of Napoleon at Austerlitz, or of Lee at Fredericksburg. Students of military history, who have learned from the campaigns of the great Frederick and of Napoleon the military value of entrenched camps, such as that which Johnston had now reached, can appreciate the calamity which came to the Southern arms by his removal.

On the 18th of July Hood took command of that gallant army. At once hurled against the entrenchments, the massed artillery and the repeating rifles of Sherman, the evening of the 22d found its effectiveness practically destroyed. It was further depleted by many successive days of deadly fighting. It was now openly announced by the highest Confederate authority that Hood's army would be sent against Sherman's communications in Tennessee. General Sherman at once declared, "If Hood will go to Tennessee, I will give him rations to go with." He did go, and the heroic remnant of that army which under Johnston had made the names of rivers, and ridges, of villages, and country churches in north Georgia forever glorious in the annals of defensive warfare, slaughtered on the bloody ramparts of Franklin, and in the carnage amid the ice and snow of Nashville, soon ceased to exist.

In this tremendous crisis in the history of our State, Governor Brown in aid of Johnston put forth the utmost resources of that genius for combination and that capacity for detail which were native with him, and which had been developed and strengthened by the weighty duties of his long public life. Such is the testimony of General Johnston himself as recorded in his Narrative. The Georgia

State troops loyally seconded their Governor. Both General Johnston and General Hood have put on record high estimates of their steadiness and valor. This force was largely composed of old men not included in the conscription laws, of State officers, and of boys between sixteen and eighteen. It is widely known, and is demonstrable by official records, how gallantly these inexperienced Georgians fought in the battles around Atlanta, how on Sherman's march to the sea their resolute courage on the heights of East Macon, in sight of the spot where I now stand, saved our own beautiful city from the possible fate of Atlanta and Columbia; how at Griswoldville, ten miles away, they desperately fought with fearful losses, how they crossed the river into South Carolina, and at Grahamville repulsed and drove back with utter defeat a powerful expedition moving to close Hardee's line of retreat from Savannah, and thus saved 18,000 Confederate troops from certain capitulation.

It is impossible in this day and time to conceive the distress, humiliation, and despair of the people of Georgia at the time of which I speak. Abject misery like a pall enshrouded almost every home. The people were steeped in poverty to the very lips. In homes of former affluence children were crying for bread. Not until two years later was it possible that full information of the State's losses by the war could be obtained. In these two years our staple, cotton, had brought sometimes a dollar a pound, and always more than it had ever brought before. There had been a marked recuperation of our fortunes. But even then as compared with our condition in 1861 the aggregate wealth of the

State had been reduced the almost incredible sum of $481,497,381. It is perhaps not generally known that Georgia had lost three-fourths of her entire wealth, and much more than any other Southern State. No other State in the Confederacy approximated ours in voluntary expenditures in aid of the war. Six millions of dollars had been expended for the destitute families of soldiers, four millions in sending clothing alone, to our troops in the Confederate Army, six millions for the maintenance of the State troops, which the prescience of our Governor had foreseen would prove indispensable to the protection of our homes. During these gloomy days of energy and despair, for the shelter of the homeless, for the sustenance of the starving, for the restoration of order in the devastated section, by day and by night without a hopeless or idle moment, the Governor toiled as he had never toiled for the people whom he loved so well.

After the fall of Macon, and the surrender of Lee and Johnston, Governor Brown with the State troops under his command also surrendered, and were paroled prisoners of war. General Sherman had declared that when the armies of the South surrendered, the autonomy of the States was *eo instanti* restored. This view of the Union general was at once repudiated by the Secretary of War, Edwin M. Stanton, and afterwards by such leaders as Thaddeus Stevens. It was, however, the unalterable conviction of the great brain and the promptings of the magnanimous heart of Abraham Lincoln. William H. Seward, his brilliant Secretary of State, whose masterful diplomacy had contributed so much to the success of the Union arms

and to the preservation of the Union itself, entertained the same opinion. And more conclusive than all, it was thus finally settled by the decision of the Supreme Court of the United States, in Texas v. White. In those thrilling words of Chief Justice Chase, which Senator George F. Hoar, in after years, declared had overturned, baffled, and brought to naught the policy of reconstruction, "The Constitution of the United States in all of its provisions looks to an indestructible Union of indestructible States. The ordinances of secession were utterly without operation in law. It certainly follows that a State did not cease to be a State nor her citizens to be citizens of the Union."

It was not difficult to convince our practical Governor that Georgia, having attempted to secede and having failed, had lost neither her status nor her rights as a member of the Union. Certain it is he acted as if the "late unpleasantness," as it was termed, should not disturb the orderly operations of the State. On the 22d of May, 1865, as he was accustomed to do of old, he convened the General Assembly in Milledgeville. Unhappily and to the consternation of that body, the next night the executive mansion was surrounded by a military force, the parole of the Governor was ignored, he was permitted thirty minutes to make his arrangements for departure, but not allowed a moment of privacy with his family, was hurried to Washington, and incarcerated in the old Capitol prison. It was, however, not long before he secured an interview with Andrew Johnson, then President. A minute of the conversation which ensued between these renowned Americans would be interesting reading. While in most respects they differed *toto coelo,*

there were some points of resemblance between them. The reliance of both was on the masses of the plain people. Besides a strong and subtle sympathy must have existed because of the fact that both were Southern born. Of right-minded men, born under these genial skies, it may be said, that whatever their differences on questions of national polity, they ever cherish a common and tender sympathy for that homogeneous population, which here hands down from father to son the primitive virtues of the brave and kindly American stock. The meeting was in the White House. Those who knew him best can well imagine the wary and skilful diplomacy, and the exquisite judgment with which the Georgian, now for the first time a prisoner of state, opened the vital question. At least my fancy does not hesitate. "Mr. President," he probably said, "I respectfully submit that I have not been rightfully treated by your subordinates, who, of course, I know must have acted without your knowledge or consent. Their conduct is not in accord with those principles of international law, or rather laws of war as laid down by Grotius in his great work *De jure belli et pacis,* and other authorities with all of which Your Excellency is entirely familiar. The belligerent rights of the South have been recognized by the great powers, and by that powerful government to whose salvation Your Excellency has contributed so much. As Commander-in-Chief of the army and navy of Georgia, I surrendered to General Wilson. In consideration of my parole not to bear arms against the United States until regularly exchanged, I was released. I have not been exchanged, neither have I borne arms against the United States. Not-

withstanding this, I was arrested in the bosom of my family and brought under guard to this city where I am now in durance vile. I make my appeal for redress of these grievances to Your Excellency's sense of justice and statesmanship, the reputation of which is not restricted to the confines of this country." It is not surprising that by Executive order he was immediately released. He at once returned to Georgia, and finding that he was not to be permitted to exercise the functions of his office, from a sense of self-respect, on the 28th of June, 1865, he resigned the gubernatorial station which he had held without a break since the year 1857.

It is now known that while in Washington he had become apprised of the mighty forces at work to the injury of his section. These, the people here could only partially know, and could not appreciate at all. He publicly advised instant and entire acquiescence in the abolition of slavery, the cordial support of Johnson's administration, the prompt and general taking of amnesty, the general and unequivocal recognition of the results of the war. In addition to this he strongly urged the Southern people to take such action as would win the powerful friendship of General Grant, then the idol of the North. Indeed, the generosity of this great soldier to Lee and his starving veterans at Appomattox, and the fact that he had with indignation tendered his resignation as General-in-Chief of the United States Army, when Edwin M. Stanton in violation of the parole of the Confederate commander ordered the arrest of General Lee, might well have appealed to our gratitude, our confidence, and regard. Most unhappily for Governor

Brown, we had little acquaintance with those principles of international law, which determine the powers of the conqueror, and which limit the rights of the vanquished. The people of the South were of a stock which, until then, for nearly a thousand years had scarcely seen a hostile soldier save as a prisoner of war. From the ashes of their homes they looked through the blood-shot vision of resentment and despair. Their condition was indeed anomalous. Organized government to negotiate for them did not exist. Their leaders were silent, or if they spoke, but added to the suspicion and misery, the travail and fury of the suffering masses. Perhaps Governor Brown failed to appreciate to the full how the people were stunned by their condition. Perhaps he did not reflect that nearly every home had its vacant chair; that one man whose draft for thousands would have been gladly honored in New Orleans or New York was now hard driven for bread and meat; that another whose equipages were once well known in Saratoga and Central Park, was now riding a heavily mortgaged mule. Perhaps he did not fully realize that there must be lapse of time, and much time, before a people thus afflicted could take a dispassionate view of public affairs. Whatever may be the cause, he fearlessly and promptly gave his counsel and advice. His reason, briefly stated, was, "If we could not successfully resist the North when we had half a million bayonets in the field, how can we resist it when we have not one?" His advice was, "Let us therefore accept the situation and make the best of it." For years he had been swimming with sure and easy stroke on the floodtide of popular favor. He was now to suffer such a sav-

age and merciless revulsion of feeling towards him, as a public man in this country has scarcely ever endured. He was, however, not to be the only victim of popular frenzy aroused by counsel which, though truthful and inevitable, was unpalatable to our people. Perhaps the memory of no Georgian is more tenderly cherished than that of Benjamin H. Hill. On the 8th of December, 1870, he informed his people that the Amendments to the Constitution were in fact, and would be held, the law, and fixed parts of the National Constitution; that these conferred new and enlarged powers of government, and established new and different relations between the governments of the States. While that has been expressly decided by reiterated decisions of the Supreme Court of the United States, while the Democratic convention which nominated Horace Greeley in 1872, and every national convention of that great party since that day, has either expressly or by implication, reiterated the same unanswerable truth, the vituperation with which the announcement of Mr. Hill was greeted, rivaled that which howled around the swerveless head of Governor Brown. Mr. Hill was called "Radical"; he was charged with selling out to the Republicans. How keenly he suffered from the odium which assailed him was known to his closest friends. But he met the storm bravely. In a public address he hurled a defiance at his detractors, which rings like the clang of steel. "I had rather," he exclaimed, "be the humblest of those who would save you and perish amid your curses than be the chiefest architect of your ruin and live forever the unworthy recipient of your deluded huzzas." This was in 1872. Three years later by an overwhelm-

ing majority, in that mountain district which has ever cast the largest white vote in Georgia, he was swept into the proud position of Representative in Congress. There, by his surpassing eloquence, he defended the humanity and character of his people, and less than two years later, after a campaign of rarely equaled bitterness he was given to hold, with ever-increasing distinction to the day of his death, the lofty commission of Georgia in the Senate of the United States. Here he was soon joined by Joseph E. Brown. Inspiring commentary on the character and magnanimity of our institutions! Bitter rivals in the days of their youth, having done perhaps more than any others in civil life to uphold the fortunes of the Confederacy, *par nobile fratrum*, they were now welcomed by the magnanimous genius of free popular government to the loftiest councils of that nation they had attempted to disrupt. There, with true and manly allegiance, renewed under its beauteous banner, "with not a star erased and not a stripe polluted," with united hearts and locked shields for the defense of Georgia and the glory of the Great Republic they were henceforth to keep step to the music of the Union. Some there are in this vast audience, who for both, labored to bring about this great result. To both there was fierce opposition. In a great speech to the General Assembly of Georgia on the night of the 15th of November, 1880, in clear, shrewd, and homely vein, quite as charming to his cultivated audience as it would have been to the accustomed gathering on the "law ground" at Gaddistown, Senator Brown gave illustration of the unreconciled, unreconstructed state of mind of certain of his opponents. He said: "It

is very well illustrated by the story of the old gentleman in one of the counties between here and the Savannah River. He and his old lady started in the buggy to visit some friends and on the way had to cross the river. In going down into the flat, one of the straps broke, and the buggy ran upon the heels of the horse, and he kicked himself loose and ran back home. The good old lady, who believed in the policy of reconstructing, gathered up the fragments of the harness and started for home. The old man refused to go, but sat down on the river bank and commenced cursing. The old lady, however, carried the pieces home, got an awl and an 'end' as they call it, and began repairing the harness. And finding the horse at home, she told the servant to take him and go down to the river and meet the old man and bring him home. After an absence of an hour or so the servant returned, and she asked, 'Where is the old man?' And he said, 'He wouldn't come.' Then she said, 'What is he doing?' The servant said, 'He is still sittin' down on the river bank cussin'."

The Senator continued, "We were obliged to move forward, but, like the good old lady, we sent the horse back for him, and he still refuses to come; and the report is that he is still sitting on the river bank 'cussin'.' And as the country must move forward, we are obliged to leave him there and let him cuss." He concluded that great speech with the brave declaration: "I feel that I have been true to you, true to my State, true to the whole country. I told you the truth when it was exceedingly unpalatable. I did not shrink from the responsibility, and I have passed through a hard ordeal. I knew my vindication was only a question

of time, and I have never doubted that truth would prevail."

On the day following, by a two-thirds majority, over a most distinguished and worthy opponent, the General Assembly of Georgia elected him Senator of the United States, and when the term for which he was then chosen had expired, with one exception, he received every vote, for the following Senatorial term. He was now an old man. Said Senator Lamar of Mississippi, "The ease and dignity and power with which he had established himself as one of the leaders of the Senate was simply marvelous." Of his first speech Mr. Blaine playfully said, "I never heard so fine a speech from so young a Senator." But once, and then only for a few hours, were Georgians distressed because of his Senatorial career. He became involved in a controversy with Senator Ingalls of Kansas. Ingalls had obviously premeditated his attack. He was a master of mordacious and sarcastic English. With merciless and withering invective, he assailed the venerable and placid Senator from Georgia, who taken by surprise, and much to the discomfiture of his friends, replied as best he could. Downcast and humiliated that day, were the Georgians in the Capital City, but before midnight their gloom was dispelled. That evening Senator Brown met his secretary, the late Henry Richardson, whose visage would have made a frontispiece for the book of Lamentations. The Senator was entirely composed. He asked, "Henry, were you present at the debate this morning between the Senator from Kansas and myself?" "Yes, Senator," said Henry, with downcast eyes. "Well, Henry," said the old gladiator, "if you think that

I was too hard on him, remember that he brought it on himself."

In all the intervening years and to the end of his strength he abated nothing of the energy of his life work, nor one whit of its usefulness and beneficence to his fellow-men. As Chief Justice of the Supreme Court of Georgia he had handed down decisions, many of which will forever live as vital and controlling principles of our jurisprudence. Resigning this high station when he had many years to serve, he became president of the lessee company of that great railroad which is the property of the State. With fidelity the most scrupulous, in this capacity he performed its every obligation. With that business sagacity which had ever marked him from boyhood, he had accumulated large wealth. This also, like his other powers, he used for the benefit of his fellow-men. Innumerable were the instances of his private benevolence. While to the churches, charities, and denominational colleges of his own faith he gave large sums, his munificence extended also to the charities of other denominations. Upon the Southern Baptist Theological Seminary of Louisville he bestowed an endowment of $53,000. His beloved son, Charles McDonald Brown, had died in young manhood. The bereaved father determined to create a monument to the dead son, "more enduring than brass and loftier than the regal summits of the pyramids." To the trustees of the University of Georgia with habitual directness he wrote: "I know from experience in early life the feelings of a youth, desirous of educating himself, without the means to do so. I preferred to live plainly and cheaply and study hard, rather than be too much

loaded with debt, but I considered myself very fortunate when I was able to borrow the amount actually necessary for the prosecution of my studies, even to a limited extent. And I doubt not there are at this time large numbers of young men in similar situations, who are prompted by the same feelings. The object of this donation is to establish a fund in the hands of the University, the interest of which is to be loaned to young men of the character I mention." With that gratefulness which was to the last an animating principle of his life, the old man made special provision for the college at Dahlonega, and for the mountain section, the home of his struggling youth. He wrote to the trustees, "This was the theater of my early struggle with poverty, and I wish to pay its people who have sympathized with and supported me in every emergency, this small tribute of my grateful recollections." To these ends, he created the Charles McDonald Brown Fund by a donation of $50,000 to the University of Georgia. Already nearly one hundred young men have been the beneficiaries of that gift to poor but worthy and ambitious youth. Who can estimate the light of the mind it has kindled, the love of learning it has fostered, the nobility of character it has created, the blessings to all the future it may bestow.

Of this great man it may be said that no one ever heard him utter a profane or an impure word, or suggest an unclean thought. Receiving his intellectual and legal training at a period of our history when most were taught that the supreme obligation of citizenship was to the State, the dominant principle of his patriotism was love for Georgia,

love for her people, and particularly for her plain people.

To the devotedness of his friendships, and to the beautiful development in his nature of the principle of gratitude, even for favors the most trivial, there are thousands yet living who can gratefully testify.

But a few days before he passed to his reward, I stood by his bedside. Although he was bended with the long agony of his suffering, I ventured a word of encouragement and hope. "No, Judge," he sadly replied, "when I was in the railroad business I once talked with the master mechanic at our shops about the repair of an old engine. He said, 'Governor, it's no use, the old machine is worn out.' That is the way with me now." It was but too true. That marvelous machine impelled by the mortal powers of Joseph E. Brown was at last worn out and worn out in the service of his people.

The supreme value of his noble life is the inspiration and encouragement it affords our country's youth. It makes plain, the creation of character, and the achievements possible to the sons of those, the story of whose ancestry is recorded in the short and simple annals of the poor.

To contemplate the successive pictures which present his marvelous career has been a grateful task, but those scenes upon which I love to "brood with miser care" do not relate so much to the days of its greatness as of its beginning. On the day of his funeral, among the thousands who loved him massed in Georgia's Representatives' Hall, I stood beside the venerable form, majestic in the peacefulness of death, and beheld for the last time the

noble face now made ethereal as if by the last caresses of angel hands which had borne the loosened spirit to the home eternal in the Heavens to hear the words of the Master, "Well done: thou good and faithful servant: enter thou into the joys of thy Lord." Even then irresistible thoughts and words were of his boyhood in the remote sequestered vale; of his humble home, such homes as sent forth Andrew Jackson and Abraham Lincoln. And now, beyond the azure mountains, and through the vista of all the years, I see the boy as with untiring hand he turns the spinning-wheel, as he swings the axe, as he guides the plow, as in sportive moments he breasts the bright waters of the mountain stream, or when worn with toil, he bathes his weary feet in its shining shallows. And my heart goes out to him, as followed by the longing and loving eyes of mother and father, he waves them a brave farewell, and with his little oxen up and over the mountain disappears from their sight, to enter on that great life I have attempted to describe, on that mission for humanity for which the God of nature had designed him. Oh, my young countrymen, contemplate his character and dwell upon his career, for

"Lives of great men all remind us
We can make our lives sublime."